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BRACKEN AND JAMISON NOMINATIONS

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

ON THE

NOMINATIONS OF FRANK BRACKEN TO BE UNDER SECRETARY OF THE INTERIOR AND DELOS CY JAMISON TO BE DIRECTOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

JUNE 12, 1989

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BRACKEN AND JAMISON NOMINATIONS

MONDAY, JUNE 12, 1989

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committee met, pursuant to notice, at 1:30 p.m., in room SD-366, Dirksen Senate Office Building, Hon. J. Bennett Johnston (chairman) presiding.

OPENING STATEMENT OF HON. J. BENNETT JOHNSTON, U.S. SENATOR FROM LOUISIANA

The CHAIRMAN. The hearing will come to order.

This is a hearing on President Bush's nominations of Frank Bracken to be Under Secretary of the Interior and Cy Jamison to be Director of the Bureau of Land Management.

Neither of these nominees is a stranger to the Department of the Interior. Mr. Bracken served as the Department's legislative counsel from 1969 to 1972.

Mr. Jamison served from 1971 to 1981 in the Montana State Office of the BLM, and from 1983 to 1984 as the Secretary of the Interior's liaison with the House of Representatives.

Both nominees have skills that are needed in the positions they will assume if confirmed.

Mr. Bracken has demonstrated his management skills in the corporate world. These skills will be tested by the complex and diverse problems confronting the Department.

Mr. Jamison is familiar with both the ways of the Congress and with the many, often vocal, interest groups who are concerned about the management of the public lands.

This will help him balance the often conflicting pressures on BLM managers.

We sometimes forget the enormity of the responsibilities of the Department of the Interior. It is the steward of our national and our natural heritage, charged with the protection of our richest treasures as a nation.

Our children and grandchildren, all Americans present and future, rely on the leaders of the Department to safeguard our public lands and their wildlife, and to preserve our precious natural environment while wisely managing the development of coal, oil and gas as well as renewable resources.

This is a complex and difficult job, one which leaves no room for partisanship or inflexible ideological motives. No area of public policy has a richer tradition of bipartisanship than the history of the conservation movement in this nation.

It is my sincere hope that both nominees will continue this tradition of bipartisanship. I also hope that we can count on you to seek the good judgement and counsel of the large cadre of dedicated, career resource managers and other professionals you have in the BLM and throughout the Department of the Interior.

I see some of our distinguished colleagues in the audience, who I think would like to be heard on these issues.

First, I would like to call on our colleague, Senator Burns, who will, I think, introduce Cy Jamison from Montana.

STATEMENT OF HON. CONRAD BURNS, U.S. SENATOR FROM MONTANA

Senator BURNS. Thank you, Mr. Chairman.

I appreciate moving these hearings right along, and it does give me a great deal of honor and pleasure to introduce Cy Jamison, who is a fellow Montanan, and the President's nominee for the next Director of the Bureau of Land Management.

The CHAIRMAN. We just had lunch together, Mr. Jamison, so he has given me the inside scoop on you—all good. [Laughter.]

Senator BURNS. And if this would make you rest any more comfortably, I gave him all of it, you know. [Laughter.]

Cy grew up in rural Montana, in a little town called Ryegate, Montana. Ryegate has a population of 300 people, and he went through all of his school there. I think he told me that in his class, he had 18 students, and that was the largest class ever graduated out of Ryegate. So I consider it an honor to represent the son of a rural schoolteacher, and a man who understands the values of life on the eastern Montana plains.

I think the Chairman summed it up pretty good. In order to understand just how big this job is, you must use, I think, the words of the Bureau of Land Management itself.

The BLM is responsible for the balanced management of public lands and resources and their various values, so that they are considered in a combination that will best serve the needs of the American people.

Management is based upon the principles of multiple use and sustained yield—a combination of uses that takes into account the long-term needs of future generations of renewable and nonrenewable resources. These resources include range, timber, minerals, recreation, natural, scenic, and scientific and cultural values.

Cy is one of the hardest-working, most honest individuals I have ever known, and I have known him a long time. In Billings, he was very active in community government, community service, working long hours with little or no pay—they do not pay very well there.

He was a community-minded Federal employee, encouraging other Federal employees to take their first steps into community service.

The image of the Federal Government is the Federal employee, from the bottom to the top, and the phrase "to serve" held real meaning for Cy.

That is good for the Bureau of Land Management, and I think it is good for Billings, Montana.

Cy has a long background in resource management and trouble-shooting problems and programs for the Bureau. I personally know of several state directors who, when a crisis was at hand, called on Cy.

Top management knew Cy had excellent working relationships with both the political leaders on both sides of the aisle, and rapport with local and civic leaders as well. In his own way, Cy has become an ambassador for the Bureau of Land Management all over Montana and the northern Great Plains.

When you bumped into Cy on the street, you were greeted with a smile, and usually called by your first name.

He went to work in Washington for Congressman Ron Marlenee, in the House Interior Committee. He knew the legislative process, hit the ground running, and I know in Montana, if you need to know something about the Bureau of Land Management or the Department of the Interior, you always call Mr. Jamison.

He is a natural leader who has shown the skill to get just about anything done, and to be anything he undertakes from the City Council, President of the service club, the Bureau, the Interior Committee Staff—you name it.

He is a people person, aware of their values and needs. As Director of the Bureau of Land Management, Cy can hit the ground running there, too. He knows the Department, its Secretary and its program objectives, and he knows Congress and probably most importantly, he knows people, and understands them.

Cy has not forgotten where he comes from. Inside the Beltway, we sometimes forget just what got us here. Cy remembers. He will always remember, and there will be no major education in the process when we put this man to work in the Bureau of Land Management.

So, with high recommendation, I recommend Cy Jamison to this high post of the Bureau of Land Management.

[The prepared statement of Senator Burns follows:]

THE NOMINATION OF CY JAMISON
to be the next
DIRECTOR OF THE BUREAU OF LAND MANAGEMENT
U.S. DEPARTMENT OF THE INTERIOR

a statement by
CONRAD BURNS
(R-MT)

It is an honor and a pleasure to introduce Cy Jamison, who is the President's nominee to be the next Director of the Bureau of Land Management, U.S. Department of the Interior. Cy presently resides in my hometown of Billings, Montana. He grew up in rural Montana in a little town called Ryegate. Ryegate has a population of about 300 people and a small school of grades one through twelve. I think Cy told me he had graduated from high school in either the largest or next to the largest class ever -- 18 students! I consider it an honor to represent the son of a rural school teacher who understands the values of life on the Eastern Plains of Montana.

IN ORDER TO UNDERSTAND JUST HOW BIG THIS JOB IS, ONE

MUST USE THE WORDS OF THE BUREAU OF LAND MANAGEMENT. - - - THE B L M IS RESPONSIBLE FOR THE BALANCED MANAGEMENT OF THE PUBLIC LANDS AND RESOURCES AND THEIR VARIOUS VALUES SO THAT THEY ARE CONSIDERED IN A COMBINATION THAT WILL BEST SERVE THE NEEDS OF THE AMERICAN PEOPLE. MANAGEMENT IS BASED UPON THE PRICIPALS OF MULTIPLE USE AND SUSTAINED YIELD; A COMBINATION OF USES THAT TAKES INTO ACCOUNT THE LONG TERM NEEDS OF FUTURE GENERATIONS FOR RENEWABLE AND NON-RENEWABLE RESOURSES. . .THESE RESOURSES INCLUDE RANGE, TIMBER, MINERALS, RECREATION, AND NATURAL, SCENIC, SCIENTIFIC AND CULTURAL VALUES.

Cy is one of the most honest and the hardest working individuals I have ever known. In Billings, he was very active in community government and community service, working long hours with little or no pay. He was a community minded federal employee and encouraged other federal employees to take their first steps in community service. The image of the Federal Government is the Federal Employee from the bottom to the top and the

phrase "TO SERVE" held a real meaning. That was good for the Bureau of Land Management and good for Billings, Montana.

Cy has a long background in resource management and in troubleshooting problems and programs for the Bureau. I personally know of several state directors who, when a crisis was at hand, called on Cy. Top management knew Cy had excellent working relationships with political leaders on both sides of the aisle and rapport with local and civic leaders as well. In his own way, Cy has become an ambassador for the Bureau of Land Management all over Montana and the northern plains. When you bumped into Cy on the street you were greeted with a smile and usually called by your first name.

When Cy Jamison went to work in Washington for Congressman Marlenee, on the House Interior Committee, he knew the legislative process and hit the ground running. I know, if you are in Montana and need to know something about the Bureau of Land Managment of the Department of the Interior, you called Cy. He is a natural leader. That

skill has shown through in just about everything he has undertaken, be it the Billings City Council, President of a service club, the Bureau, the Interior Committee staff; you name it. He is a people person, aware of their values and their needs.

As Director of the Bureau of Land Masnagment, Cy can hit the ground running. He knows the Department, it's Secretary and its program objectives. He knows the Congress and perhaps the most important, he knows the people. Cy hasn't forgotten where he comes from. Inside the beltway, we sometimes forget what it was that got us here. Cy remembers -- he will always remember. There will be no major education process with Cy.

We have many complex and polarizing issues in Montana, Cy has been a major player in resolving many of these issues. Whether it was settling a dispute between the Fish and Wildlife Service and the ranchers on the C.M. Russell Wildlife Refuge, or assisting the Park Service with the Custer Battlefield site, his has been a positive force for

the state and its people.

In closing, I want to restate that Cy Jamison is a leader, he is honest and hard working, and, I believe will be one of the best in representing his generation in public service.

Thank you.

The CHAIRMAN. Thank you very much, Conrad.

Now I'm very pleased to call on our esteemed colleague from the House, Phil Sharp, with whom we are doing a lot of business with natural gas, I hope successfully and quickly.

Phil, welcome to the committee.

STATEMENT OF HON. PHILIP R. SHARP, U.S. REPRESENTATIVE FROM INDIANA

Mr. SHARP. I think we can manage that, Mr. Chairman.

Mr. Chairman, and Senator McClure, it is a great honor and a pleasure for me to be able to be here to introduce to you someone that you have indicated you are already quite familiar with his record—Frank Bracken—to be Under Secretary of the Department of the Interior.

Frank Bracken is well-known in Indiana, and indeed beyond our borders, because he is a very distinguished citizen, first of all, of Muncie, Indiana, where we both hail from at this point.

He has been an exceptional business leader, primarily with the Ball Corporation. He has been a leader in education as the president of the Board of Trustees of a major university in this country, Ball State University.

He has been head of two philanthropic organizations, and he has served, as you indicated, at the Department of the Interior previously.

This has brought to him a great deal of experience in the management of public and of private resources, and as you indicated in your opening remarks, those are critical needs for the Department of the Interior, which has an extraordinary responsibility for some of the most priceless possessions of this country.

He is well known for his approach—and his reputation in Muncie attests to this—to consulting broadly, whether it is with students or faculty or administrators at the University, whether it is with workers or managers in the plants he has been involved with, to seeking a broad basis of understanding, and at the same time being able to come to a decision on crucial issues.

He is conservation-minded, which has been shown up in his approach to the corporation, to his foundations, to the university, and I am just very pleased that you folks, I trust, will have already seen these characteristics, and will confirm him.

I did want to mention that with him today are several members of his immediate family: his wife is an exceptional individual. Judy Bracken is here, and two of his daughters are here: Annie Bracken and Jane.

The CHAIRMAN. We are pleased to have the Bracken family here today.

Mr. SHARP. And two of the other children are elsewhere in the country, Thomas and Margaret, and at some point, I am sure, will be joining us here.

Mr. Chairman, it is just a great honor for me to be able to present Frank Bracken.

The CHAIRMAN. Thank you very much, Phil.

I am pleased to have Senator Dan Coats here. Dan.

STATEMENT OF HON. DAN COATS, U.S. SENATOR FROM INDIANA

Senator COATS. Mr. Chairman, thank you.

I want to join my colleague in introducing Mr. Bracken to the committee.

I also do so on behalf of Senator Lugar, who had planned and very much wanted to be here to introduce Mr. Bracken to you. Senator Lugar's mother today is having bypass surgery in Indiana, and so he was unable to be with us, but he wanted me to express his sincere appreciation and support for Frank's willingness to enter public service and make significant contributions to government.

Frank Bracken is a longtime resident of Muncie, Indiana, a native Hoosier. He spent 16 years with the Ball Corporation, a distinguished international corporation of significant importance to the State of Indiana.

He has distinguished himself, Mr. Bracken has, in a number of roles with that corporation and community service to not only the city of Muncie, Indiana, but to the State of Indiana, as well as to our nation, where his legislative counsel service for the Department of the Interior from 1969 to 1972 is well marked.

So, I want to welcome Frank back to Washington, and his family. I highly recommend him to the committee and introduce him to you, and I do so also on behalf of Senator Lugar, and thank you for the opportunity to do that.

The CHAIRMAN. Thank you very much, Dan.

Gentlemen, we are glad to have you for the rest of the hearings. If you must go, we understand.

Senator COATS. There are two of them who have to stay.

The CHAIRMAN. Yes. [Laughter.]

Senator MCCLURE. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator MCCLURE. Mr. Chairman, I have an opening statement I would like to place in the record.

The CHAIRMAN. Without objection.

[The prepared statement of Senator McClure follows:]

OPENING STATEMENT OF SENATOR JAMES A. MCCLURE

HEARING TO CONSIDER THE NOMINATIONS OF
FRANK A. BRACKEN TO BE UNDER SECRETARY OF THE INTERIOR AND
DELOS "CY" JAMISON TO BE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT

June 12, 1989

Good Morning. I would like to begin by welcoming our two Presidential nominees to the Committee today. I am pleased to support the nominations of Frank A. Bracken to be Under Secretary of the Interior and Delos "Cy" Jamison to be the Director of the Bureau of Land Management of the Department of the Interior.

The Administrative actions of the Department of the Interior have enormous impact on my state of Idaho. Literally every day, there are thousands of interactions between the people of my State and the employees of the Department of the Interior. I believe there must be a proper balance maintained between development and conservation of our nation's natural and cultural resources, and it is incumbent upon the policy makers at the Department to work towards this end in a constructive and cooperative way with the states and the people. The nominees before us this morning have the background and experience to assist in directing the Department towards this goal.

Mr. Bracken has extensive management experience, serving since 1972 in a progression of corporate management positions with the Ball Corporation in Muncie, Indiana. Mr. Bracken is quite familiar with the operations and responsibilities of the Department of the Interior, having served as its Legislative Counsel from 1969 to 1972, responsible for managing the legislative program of the Department. Prior to joining the Department, Mr. Bracken was in private law practice in Muncie.

Mr. Bracken's comprehensive management background and government experience will bring strength to the management of the Department, and I support his nomination to be Under Secretary.

I would also like to indicate my support for Cy Jamison for the position of Director of the Bureau of Land Management. Mr. Jamison has a broad background and substantial experience in public land and natural resource management. For some ten years, he held various positions as an employee of the BLM. He also served briefly as House Liaison for the entire Interior Department. In addition, he also has some seven years experience in various staff positions for the Interior and Insular Affairs Committee of the other body; most currently he is serving as a Legislative Advisor to the National Parks and Public Lands Subcommittee. In sum, Cy's entire career has involved public land and natural resource issues.

I believe Mr. Jamison's familiarity with the responsibilities of the Department and the BLM as well as his understanding of the importance of good management over this nation's vast public lands make him a good choice for the position of Director of the BLM; and I support his nomination.

The CHAIRMAN. Gentlemen, the rules of the committee which apply to all nominees require that they be sworn in connection with their testimony, so please rise and raise your right hand.

[Whereupon Mr. Bracken and Mr. Jamison were duly sworn by the Chairman.]

The CHAIRMAN. Please be seated.

Before you begin your statement, I will ask each of you three questions.

First, will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Mr. BRACKEN. I will.

Mr. JAMISON. Yes, I will.

The CHAIRMAN. Are you aware of any personal holdings, investments or interests that could constitute a conflict of interest or create the appearance of such a conflict, should you be confirmed and assume the office to which you have been nominated by the President?

Mr. BRACKEN. No.

Mr. JAMISON. No.

The CHAIRMAN. Are you involved, or do you have any assets held in blind trust?

Mr. BRACKEN. No.

Mr. JAMISON. No.

Senator MCCLURE. Might I ask unanimous consent that a statement by Senator Murkowski be inserted into the record?

The CHAIRMAN. Yes, without objection.

Senator MCCLURE. Thank you.

[The prepared statement of Senator Murkowski follows:]

STATEMENT
SENATOR FRANK H. MURKOWSKI

ENERGY & NATURAL RESOURCES COMMITTEE
CONFIRMATION OF MR. CY JAMISON
DIRECTOR OF THE BUREAU OF LAND MANAGEMENT

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

THANK YOU FOR HOLDING THIS HEARING TODAY ON THE APPOINTMENT BY PRESIDENT BUSH OF MR. CY JAMISON AS THE NEW DIRECTOR OF THE BUREAU OF LAND MANGEMENT. I WANT TO WELCOME MR. JAMISON TO THE COMMITTEE AND CONGRATULATE HIM ON HIS NOMINATION.

THE COMMITTEE IS FORTUNATE TO HAVE SOMEONE WITH MR. JAMISON'S EXPERIENCE BEFORE US TODAY. NOT ONLY DOES CY HAVE A BLM BACKGROUND BUT HE HAS WORKED ON THE HILL FOR EIGHT YEARS AS A STAFFER FOR THIS COMMITTEE'S COUNTERPART IN THE HOUSE -- THE INTERIOR AND INSULAR AFFAIRS COMMITTEE. UNDERSTANDING HOW THE LEGISLATIVE BRANCH WORKS IS SOMETHING VERY IMPORTANT FOR HIGH LEVEL APPOINTEES. BY ALL ACCOUNTS, CY UNDERSTANDS HOW THINGS WORK.

SENATOR BURNS TELLS ME THAT HIS FELLOW MONTANANS ARE PROUD THAT ONE OF THEIR OWN WILL HEAD AN AGENCY THAT IS SO IMPORTANT IN THE WEST. AS AN ALASKAN, WHERE BLM IS A MAJOR LAND OWNER, MY EXPERIENCE HAS BEEN THAT THE BLM, OF ALL LAND MANAGING AGENCIES, IS THE ONE THAT GENERATES THE LEAST COMPLAINTS AND THE MOST RESPECT. THE WILLINGNESS OF BLM EMPLOYEES TO LISTEN TO THE PEOPLE WHO LIVE ON AND AROUND FEDERAL LANDS IS KEY TO THE GOOD RELATIONS ALASKANS CONTINUE TO HAVE WITH THE BUREAU. I THINK CY WILL CONTINUE THAT TRADITION AND LOOK FOR SOLUTIONS TO PROBLEMS THAT MAKE SENSE ON THE GROUND AND IN PEOPLES LIVES.

ONE OTHER THING NEEDS TO BE SAID ABOUT THIS APPOINTMENT. CY GOT HIS START IN THE BLM AS A GS-3, PART-TIME.

TO ACHIEVE THE POSITION OF DIRECTOR FROM HUMBLE BEGINNINGS IS BOUND TO BE AN INSPIRATION TO THOSE DEDICATED PUBLIC SERVANTS WHO KNOW THEIR ROLE IS IMPORTANT IN THE ADMINISTRATION OF THE LAWS WE MAKE. I THINK BLMers ARE PROUD THAT "ONE OF THEIR OWN" HAS BEEN CHOSEN TO LEAD THEM.

I WISH MR. JAMISON THE BEST OF LUCK AND PLEDGE MY SUPPORT FOR HIS NOMINATION. I HOPE THE COMMITTEE WILL ACT QUICKLY AND FAVORABLY ON HIS APPOINTMENT.

THANK YOU, MR. CHAIRMAN.

The CHAIRMAN. All right, with that we would be glad to hear from you first, Mr. Bracken.

STATEMENT OF FRANK BRACKEN, NOMINEE TO BE UNDER SECRETARY OF THE INTERIOR

Mr. BRACKEN. Thank you very much, Mr. Chairman.

I would like to thank Senator Coats for his very kind comments, and also Congressman Phil Sharp.

I appreciate the opportunity to appear before the committee, and I am particularly honored to have been asked to serve President Bush and Secretary Lujan in the capacity of Under Secretary of the Department of the Interior.

Mr. Chairman, I would respectfully request that my complete statement be entered into the record, and I will just make some brief comments.

The CHAIRMAN. Without objection.

Mr. BRACKEN. Thank you.

I believe that the Department of the Interior is in a critical position to be a major factor and play a key role in President Bush's policy as stated last week—and I quote: "that sound ecology and a strong economy can coexist."

The Department of the Interior interacts with virtually every constituency group that represents both ecological and economic interests.

Of course, we also interact with both the Congress and other agencies and departments, including the White House, within the Executive Branch.

As Under Secretary of the Interior, I believe it is my responsibility to coordinate the viewpoints, concerns and positions of all of those organizations. In so doing, I intend to establish a procedure for open and direct communication, both within and outside the department.

I want each organization or individual who has a contribution to make to have an opportunity to make it prior to any position being taken.

In particular, I want to establish a close and open working relationship with the members of Congress. Certainly, communication and coordination with members of this committee, as well as members of other committees in both the Senate and the House of Representatives that have interests in the Department of the Interior's programs and position on issues are essential.

This will not be an easy task, but I am anxious to get started.

[The prepared statement of Mr. Bracken follows:]

STATEMENT OF FRANK ALEXANDER BRACKEN
BEFORE COMMITTEE ON ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

Mr. Chairman and Members of the Committee, I am honored to appear before you today as President Bush's nominee to be Under Secretary of the Department of the Interior. I hope you will find me qualified to serve in this important position for I am eager to work with this and other committees of the Congress to resolve important issues confronting us all.

I was born and raised in Muncie, Indiana, and, except for a previous government appointment that brought me to Washington, D.C., have spent most of my adult life in business in Muncie. I have held a number of legal and management positions at Ball Corporation, a company which develops and manufactures packaging products, aerospace systems and diversified products. A graduate of Carleton College in Northfield, Minnesota and the University of Michigan Law School, I am also a member of the Indiana and American Bar Associations.

I am not unfamiliar with the missions and responsibilities of the Department of the Interior. From February 1969 to September 1972, I served as Legislative Counsel for the Department.

I feel particularly privileged to have this opportunity to enter public service again in the Administration of George Bush. In his Inaugural Address, the President said that we need to give future generations a sense of what it means to be "a citizen who leaves his home, his neighborhood and town better than he found it." I believe that those of us who have the opportunity to serve in government also have the obligation to be that kind of citizen -- one who makes a difference.

If confirmed, I intend to support fully the agenda outlined by President Bush and Secretary Lujan for the Department of the Interior. The President has said that "we haven't been doing enough to protect our environment . . . We need to do more. The condition of our land and water and air affects the health and quality of life of each and every one of us.

"We have been blessed in this country with a bountiful land. Fertile soils, abundant water, great forests, productive fisheries, teeming wildlife, rich mineral resources -- these have been our heritage.

"Ours is also a land of incomparable natural beauty -- of vast open spaces and magnificent mountains, of majestic rivers and shining lakes, of rolling plains and splendid sea coasts. These, too, are part of our heritage and have helped shape and inspire the American spirit.

"We hold this natural bounty in trust for future generations of Americans. It is not ours to squander and despoil, but ours to use and manage wisely -- not only for our own benefit, but for the benefit of our children and our children's children.

"For this reason, the protection of the environment and the conservation and wise management of our natural resources -- this whole notion of stewardship -- must have a high priority on our national agenda."

I am an outdoorsman. I relish the time I can spend on the jogging and biking trail, enjoying the great American outdoors with family and friends. I believe recreation is essential to the well-being of our citizens, and that the federal government does have a role to play in ensuring that opportunities to enjoy the outdoors are available to all.

The United States has long been the world leader in establishing national parks, protecting wilderness areas, conserving wildlife; in short, preserving reminders of the wildness that once was America. We also have done much to conserve our cultural and historic heritage - the visible symbols of our American past.

In preserving this legacy, as in so many other areas, it has been not only government that has made the difference, but the voluntary efforts of private organizations and dedicated individuals in every part of the country. If confirmed, I will do all that I can to inspire our citizenry to join with us in protecting and conserving our heritage and in providing opportunities to enjoy the outdoors for our children and grandchildren.

I also understand the Interior Department's important role in managing the vast multiple-use lands of the West, those lands upon which we depend as a Nation for energy, minerals, water supply, food and fiber. I believe we can have appropriate development with environmental safeguards on those multiple use lands.

I am fully aware of the multiple, and at times conflicting, mandates of the Department of the Interior. President Bush and Secretary Lujan agreed on an agenda for the Department. That agenda, in brief, is one I will share and work diligently to implement:

- We will conserve and wisely manage our national resources;

- We will work to further the political, economic and social development of the peoples of the Territories and Freely Associated States;

- We will place a high priority on the role of education in increasing the public's knowledge and support for our natural resources;

- We will be aggressive soldiers in the Nation's war on drugs;

- We will strengthen and preserve our national parks, wildlife refuges, and wilderness areas;

- We will manage the Department in a fiscally responsible and ethical manner;

- We will manage the multiple-use lands and waters to provide the widest range of benefits to the American people;

- We will apply the Department's scientific and technological resources to the solution of national and international environmental problems;

- We will consult, cooperate, and coordinate, rather than confront competing interests;

- We are committed to Native American self-government and self-determination; and,

- We will promote partnerships and expand voluntarism to benefit the public lands.

This is not an easy agenda. And, I assure you that I do not see the stewardship of our resources as an opportunity for partisan politics. Certainly all responsible Americans, whatever their political persuasions, must seek a proper balance of competing interests in conserving our resources, on the one hand, and meeting our needs for a strong and secure Nation, on the other.

My management style is to promote access for all interested parties; to consult and cooperate rather than confront; to conduct inclusive rather than exclusive deliberations; and, to seek consensus. If confirmed, I will join with Secretary Lujan in his goal to ensure the Department of the Interior better serves America and Americans.

I will be happy to respond to your questions.

The CHAIRMAN. Thank you very much, Mr. Bracken.
Mr. Jamison.

STATEMENT OF DELOS CY JAMISON, NOMINEE TO BE DIRECTOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

Mr. JAMISON. Thank you, Mr. Chairman, for your kind words, and thank you, Senator Burns, for your kind words.

In the interest of time, could we have my statement submitted for the record in its entirety?

The CHAIRMAN. Yes, without objection.

Mr. JAMISON. I would just like to paraphrase a few statements I have in my statement.

One is, as Senator Burns highlighted, I am from rural Montana. I grew up in a very small town. I came from a family that was large and had very little money, but I would not trade that experience for any that I have come across since.

My family came to the West in the 1900s and we have been there ever since. But what I would like to do is to be part of the Bush team, and if I am confirmed as the Director of the Bureau of Land Management, I would hope to implement President Bush's vision of stewardship and wise management of our public lands and natural resources.

I am delighted that the President and the Secretary have made a commitment to environmental sensitivity and balanced use of our public lands. I share their vision and that commitment, and I want to be a part of that team.

I want to assure you, Senators, that I am open. I know how the Hill works. I know that cooperation is a heck of a lot better than confrontation, and I stand ready to serve.

With that, I would be open for any questions.

[The prepared statement of Mr. Jamison follows:]

STATEMENT OF DELOS CY JAMISON
PRESIDENT BUSH'S NOMINEE FOR
DIRECTOR, BUREAU OF LAND MANAGEMENT
DEPARTMENT OF THE INTERIOR
HEARINGS BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
JUNE 12, 1989

My name is Cy Jamison. I am President Bush's nominee to be Director of the Interior Department's Bureau of Land Management.

I deeply appreciate the opportunity to appear before this distinguished panel to share with you information about my background and qualifications. Having served for a number of years as a congressional staffer, I have great respect for the legislative branch, this Committee's, and the Senate's important responsibilities in the confirmation process.

Mr. Chairman, it is the highest honor of my life to be nominated by President Bush to serve the Secretary of the Interior and the American people as the Director of the BLM. Much of that feeling comes from my upbringing. I'm from Montana, where my family roots go back to the early 1900's. Our family heritage as Westerners goes back even further than that. Like so many of the distinguished members of this panel, I was raised in an area steeped in the history, traditions, and culture of the American West. My background instilled in me certain values and beliefs that I would like to share with you.

I GREW UP IN A FAMILY WITH A LOT OF KIDS, AND VERY LITTLE MONEY. BUT I WOULD NOT TRADE THAT EXPERIENCE WITH ANYONE. IT GAVE ME A GREAT APPRECIATION FOR WHAT I HAD AND TAUGHT ME THE NECESSITY, AND THE VIRTUE, OF TAKING CARE OF WHAT ONE HAD. THIS LESSON HAS CARRIED OVER INTO MY PUBLIC SERVICE. THAT IS WHY I THINK IT IS THE FOREMOST PRIORITY FOR ALL AMERICANS TO TAKE CARE OF WHAT WE HAVE AND USE IT WISELY. I WANT TO PLAY A ROLE IN KEEPING OUR NATION STRONG AND PROSPEROUS. GOOD STEWARDSHIP WILL GIVE US THE OPPORTUNITY TO ENJOY OUR NATURAL RESOURCES, AND ALSO, WHERE APPROPRIATE, THE OPPORTUNITY TO USE THEM CAREFULLY.

MR. CHAIRMAN, I BELIEVE THAT MY PROFESSIONAL BACKGROUND MAKES ME QUALIFIED TO SERVE AS THE DIRECTOR OF THE BUREAU OF LAND MANAGEMENT. INDEED, SHOULD THIS COMMITTEE AND THE SENATE CONFIRM MY NOMINATION, I WILL BE RETURNING HOME TO THE AGENCY WHERE I BEGAN MY CAREER IN GOVERNMENT SERVICE AS A PART-TIME GS-3 EMPLOYEE, WHILE A STUDENT IN MONTANA.

AFTER GRADUATING FROM COLLEGE, I SERVED IN A NUMBER OF BLM JOBS AND ROSE TO BECOME A LEGISLATIVE AFFAIRS SPECIALIST IN THE MONTANA STATE OFFICE. I APPRECIATE BLM'S CHALLENGE OF MANAGING THE NATION'S PUBLIC LANDS AND RESOURCES ACCORDING TO THE MULTIPLE-USE AND SUSTAINED YIELD PRINCIPLES SET FORTH BY CONGRESS. MY EIGHTEEN YEARS OF PUBLIC SERVICE HAVE GIVEN ME A THOROUGH GROUNDING IN THE MANY COMPLEX ISSUES OF MODERN LAND AND RESOURCE MANAGEMENT.

I HAVE LEARNED ABOUT THE BLM FROM THE GROUND UP. IN FACT I THINK THAT I HAVE PERSONALLY VISITED MORE BLM LANDS THAN MOST OF THE PRESENT EMPLOYEES. I UNDERSTAND THE BUREAU'S MISSION. I HAVE A DEEP RESPECT FOR THE PROFESSIONAL PUBLIC SERVANTS, MANY OF THEM PERSONAL FRIENDS, WHO HAVE DEDICATED THEMSELVES TO THE AGENCY AS LAND AND RESOURCE MANAGERS AT THE LOCAL, STATE, AND NATIONAL LEVELS.

IN THE EARLY '80'S, I CAME TO WASHINGTON AND SERVED BRIEFLY AT THE DEPARTMENT OF THE INTERIOR AS A LEGISLATIVE LIAISON TO THE UNITED STATES HOUSE OF REPRESENTATIVES. I HAVE BEEN A STAFF MEMBER ON THE HOUSE INTERIOR COMMITTEE FOR NEARLY EIGHT YEARS, CONTINUING MY DAILY INVOLVEMENT IN PUBLIC LAND ISSUES.

MY WORK ON CAPITOL HILL HAS GIVEN ME AN UNDERSTANDING OF HOW THE LEGISLATIVE PROCESS SHAPES AMERICAN PUBLIC LAND MANAGEMENT POLICY. IT HAS LEFT ME WITH AN APPRECIATION OF HOW IMPORTANT THESE ISSUES ARE TO SENATORS AND HOUSE MEMBERS, NOT ONLY THOSE FROM THE WEST, BUT ALSO THOSE FROM ACROSS THE NATION. FINALLY, MY BACKGROUND HAS LEFT ME WITH A DEEP RESPECT FOR CONGRESS AND ITS ROLE IN AMERICAN GOVERNMENT.

I APPLAUD AND SUPPORT THE WILLINGNESS OF PRESIDENT BUSH AND SECRETARY LUJAN TO ROLL UP THEIR SLEEVES AND WORK WITH CONGPESS. IF CONFIRMED I PLEDGE TO YOU THAT I WILL FOLLOW THEIR LEAD AND WORK CLOSELY WITH YOU, YOUR STAFFS, AND ALL MEMBERS OF CONGRESS. THAT COMMON SENSE APPROACH WILL ALSO BE MY POLICY IN WORKING WITH THE AMERICAN PUBLIC.

FINALLY, I HOPE TO HAVE THE CHANCE AS DIRECTOR OF THE BLM TO IMPLEMENT PRESIDENT BUSH'S VISION OF STEWARDSHIP AND WISE MANAGEMENT OF OUR PUBLIC LANDS AND NATURAL RESOURCES. I AM DELIGHTED THAT THE PRESIDENT AND THE SECRETARY HAVE MADE A COMMITMENT TO ENVIRONMENTAL SENSITIVITY AND BALANCED USE OF OUR PUBLIC LANDS. I SHARE THEIR VISION AND THAT COMMITMENT AND I WANT TO BE A PART OF THEIR TEAM.

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I BELIEVE I AM PREPARED TO MEET THE CHALLENGE OF SERVING AS DIRECTOR OF THE BUREAU OF LAND MANAGEMENT. I HOPE THE COMMITTEE WILL GIVE MY NOMINATION FAVORABLE CONSIDERATION. I WILL BE HAPPY TO RESPOND TO ANY QUESTIONS YOU MAY HAVE.

The CHAIRMAN. Thank you very much, Mr. Jamison.

Let me say, gentlemen, I think you are both very highly qualified. I think that we are lucky to have your services being offered to this Administration.

I think that you will do an excellent job, and I look forward to enthusiastically, and I hope swiftly, getting your confirmation before the Senate completed.

Mr. Bracken, are you familiar with the concept known as unitization in oil drilling?

I am not trying to test your knowledge on that.

Let me just say that where you have a reservoir with different owners, in my State, by law, a unit is required to be made so that you do not have a race to see who can put the most straws in the soda.

Some units are 640 acres, some are a lot smaller than that. An order will eventually be issued, after a hearing, that you divide the money from the oil extracted in proportion to the ownership. But the number of wells is determined by the unit.

Now, in the outer continental shelf, we have this problem where the three miles of the State lands, in the case of Louisiana, abuts the federal ownership, which is beyond three miles, and where a common reservoir underlies the boundary line. The problem which calls for, in my judgment, the creation of units, and the sharing of the revenues, so that unnecessary wells are not drilled.

It seems to me that that is very plain, and clear, in the interest of not only good economics, because obviously it costs more money to drill unnecessary wells—it is also fair because we should not determine who gets the most money by who rushes out and drills the most unnecessary wells. And it is clearly consistent with conservation of the resource as well as protection of the environment, because to whatever extent there is danger from drilling wells, the drilling of unnecessary wells is an unnecessary danger.

Now, who could disagree with that? Well, I can tell you, the Department of the Interior has disagreed with that, and in spite of long importuning on my part, we have not been able to get the Department of the Interior to create units and to share revenues in this area.

The position that they have taken is that that was settled by other legislation, and that therefore, it is kind of the rule of capture, whoever is there first gets the revenues.

I just mention that to you, because it looks like this is something we are going to have to solve, or try to solve, legislatively. And that just seems to be unnecessary to me.

I know that you have not been briefed on this particular issue, but I simply bring that up to you, because I think it is just as simple as I have told it to you.

I mean, I think that the other side of this argument is not a very good side. It may be that today, the Federal Government is trying to capture state revenues. Tomorrow, it might be the state government or private lessees trying to capture Federal resources. And this should not be.

You ought to unitize those things, and you ought to share the revenue, and I think that is clear. I do not ask for your response on that, because I know you are new to the issue, but I just give you

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that issue as something to think about that may rise in your position in the future.

Mr. Jamison, I do not have any questions for you. I will think up one, and send it to you. [Laughter.]

Mr. JAMISON. I would appreciate that.

The CHAIRMAN. But we are very pleased to have both of you before the committee, and delighted, Mr. Bracken, that you have your family with you.

Senator McClure.

Senator MCCLURE. Mr. Chairman, for the sake of absolute clarity in the record, I want to go into one matter with each of the nominees, who in answer to a question by you indicated that they had no conflicts of interest at all.

Yet, the statement filed with the committee in each instance indicated a possible conflict and a possible appearance of conflict of interest, as well as attaching to the statement letters from the appropriate officials of government with respect to how those apparent or possible conflicts might be dealt with.

I just want to make certain that the record does not indicate, as it might without any explanation, that there was no conflict and no possibility of conflict, and so I would take it that your answer to the question of the Chairman was in full knowledge of and with reference to the statements filed with the committee together with the appropriate letters attached thereto.

Is that correct, Mr. Bracken?

Mr. BRACKEN. Yes, that is correct.

Senator MCCLURE. Mr. Jamison.

Mr. JAMISON. That is correct.

Senator MCCLURE. Thank you very much. I will have an opportunity to discuss with you any number of issues over the next several weeks and months.

We will have the opportunity to ask a great number of questions, I suspect, on specific issues as they come up. I will not take the time of the committee today to go into those matters.

I just welcome both of you, and look forward to working with each of you as we try to manage the Nation's business in the most appropriate way.

Thank you very much.

The CHAIRMAN. Senator Domenici.

Senator DOMENICI. Thank you very much, Mr. Chairman.

Let me first congratulate you and the ranking member for expediting our hearings, and for your indication that you are going to do what you can to expedite that leaving here and going to the floor.

I think that we all know and anxiously await these nominees, so that they can get down there and serve the public and help the Secretary of the Interior with his very formidable job.

For the record, I might just say that both of these gentlemen have been very cooperative with this senator, accommodating to me on at least two occasions to visit me in my office and discuss the issues that are of concern to me. I find both of them to have a commitment and background that is sufficient for me to say right now that I urge their confirmation, and hope that you will live up to the commitment that you have made.

I might just say on one issue—and I direct this to you, Mr. Jamison, and perhaps my good friend Senator McClure would be interested—we have many pending BLM wilderness study areas that have not yet been completed and reached their fruition in that we have not turned them into wilderness or released the BLM from de facto wilderness that comes from their study of nature.

In my State, as in many of the Western and Rocky Mountain States, I might say there are a number of issues, but the two that seem to fester the most, and give us the most difficulty, have to do with grazing.

I understand, and I just ask this quickly—you understand that there is nothing inconsistent between wilderness—nothing supposed to be inconsistent between a wilderness designation and multiple use, including grazing. Is that not correct?

Mr. JAMISON. That is correct, Senator.

Senator DOMENICI. And the second issue that is there all the time has to do with reserved water rights. I say to my friend, Senator McClure, and others on this committee that have confronted it, I might say to you, Mr. Jamison, we had a day-long symposium on the wilderness for New Mexico on BLM, the land over which you will have primary administrative control.

And I wanted to say that I had thought the position of the national wilderness groups had been that they did not want any water language in the wilderness bills, but rather were relying upon an ongoing court discussion and debate as to whether or not there were reserved water rights running in favor of wilderness areas.

I am pleased to report that George Frampton, Senator McClure, appeared in New Mexico, and discussed the merits of New Mexico's plan at length. But in addition, he made what I thought was a rather new statement, and one that built a little optimism, at least in this Senator's mind, in that Mr. Frampton indicated that he hoped in New Mexico we could work out the water issue, and that indeed there was concurrence that New Mexico water rights law would govern, and that there was no interest in trying to establish a historic reserve water right in terms of time.

They were talking about some water if we could work something out as of that time of the bill. I just want to say to you, as the supervisor in this area, that I think this offers a ray of light, maybe even a little bit of sunshine, in terms of our opportunity to put together a bill for New Mexico that might be a model bill.

We are going to work on it, and we hope that you will help us from time to time, as we work with the various interests.

That was also a concurrence that grazing rights were not only to be permitted, but were to be protected and wherever there were misunderstandings about that, I think they were cleared up in my State by all sides. It was an issue of the rights, it was an issue of changing times and changing methods of operating that were creating some kind of conflict, and there was a growing desire to rectify that from the standpoint of giving your people a little more of an objective standard to work on with reference to protecting the wilderness and that third arm of the multiple use, which has to do with grazing.

So I share that with you. I assume you would be interested in trying to work with us on that kind of what might be a model approach to both the reserved water rights and the grazing rights, am I correct in that?

Mr. JAMISON. Yes, you are, Senator, and I applaud your efforts in New Mexico.

In my opinion, that is the way to solve the wilderness issue: solve it at home. We in the BLM will work with you whenever we can, wherever we can, and however we can.

I stand ready to back that up, too.

Senator DOMENICI. Senator McClure, I might say that the conclusion for most of the people there was what I thought was a change, that we ought to work on the States and the areas on a case by case basis, as it pertained to water rights.

While I cannot tell you—I do not want to speak for anyone—that there could be concurrence, it did seem to me that with a recognition that State water rights should govern, and there was no effort to go back in past history to establish any kind of water flow right, but rather as of now, and to adjust it in some way to the State's laws seemed to me to be a ray of hope, and I wanted to share that with you today.

Senator MCCLURE. Senator, would you yield?

Senator DOMENICI. I would be pleased to.

Senator MCCLURE. I am very pleased with the report, obviously, because if we indeed can arrive at an agreed statement with respect to the relationship of the State and Federal Government with relation to the BLM wilderness lands within the boundary of the State, I think that is very much to be hoped for.

To me, the treatment of the water as a resource is exactly the same as the treatment of any other resource. Water in an arid State has higher value than some other resources in many respects.

Therefore, it ought not to be ignored in any kind of a legislation that fails to recognize the value of that resource, or fails to come to grips with how that particular area should be managed.

And I would hope that it might indeed be a pattern for many of us. It is a very troublesome issue, and it is one of the most important issues that we might deal with with respect to specific prescriptive land management designation.

Senator DOMENICI. Thank you very much, Mr. Chairman.

The CHAIRMAN. Senator Burns?

Senator BURNS. I would just footnote that that is a different attitude than we have seen surface as far as designating some of this wilderness area.

Water is important in the west. In fact, it is the lifeblood of the west. In other words, the people that control the water control the world. And Montana being a very large watershed State—in fact, I am not real sure but what it is the largest of our contiguous 48, the lower 48—any legislation that involves public lands and this type of thing is very important.

I have a question, I guess, for Mr. Jamison.

Do you foresee, Mr. Jamison, any kind of big reorganization in the Bureau of Land Management and the direction that they may be taking from, say, the past 8 years?

Mr. JAMISON. No, I do not, Senator Burns.

I am satisfied in my own mind that what we have in the BLM is operative. It is basically still under the total control of the civil servants, the career civil servants, and I think it has worked well, and I would like to keep it that way.

Senator BURNS. What would be your attitude now—I know that we have some conflicts in the State of Montana between the U.S. Fish and Wildlife and we do have parks that are very prevalent up there, your working relationship with those department heads that have jurisdiction over those areas?

Mr. JAMISON. I think it is excellent. I know most of them on a personal basis, as do you, Senator, and I think that among all of us, we can work out most of the problems out there.

Senator BURNS. I have no further questions, Mr. Chairman.

The CHAIRMAN. Thank you very much.

A moment ago we were talking about grazing in wilderness areas, which is allowed at times. But just to be sure that the record is not confused, the other multiple use activities, of course, are not allowed in wilderness areas—mining, oil and gas, that sort of thing.

I know you knew that, but I just want to be sure that the record is clear on it.

Gentlemen, thank you very much. We hope that the action of the committee will be swift and I am sure that it will be favorable.

Mr. JAMISON. Thank you, Mr. Chairman.

Mr. BRACKEN. Thank you.

[Whereupon, at 2:03 p.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

Informational Statements of the Nominees

UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: Bracken (LAST) Frank (FIRST) (OTHER)

Position to which nominated: Under Secretary of the Interior **Date of nomination:** 05/12/89

Date of birth: 29 (DAY) March (MONTH) 1934 (YEAR) **Place of birth:** Indianapolis, Indiana

Marital status: Married **Full name of spouse:** Judith Purdy Bracken

Name and ages of children: Ann Rosemary 27; Jane Catherine 19; Thomas Clayton 24; Margaret Elizabeth 23

Education:

Institution	Dates attended	Degrees received	Dates of degrees
Muncie Burris	1942-1952	High School Diploma	June 1952
Carleton College	1952-1956	B.A.	June 1956
University of Michigan	1956-1960	J.D.	June 1960

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

Leslie E. Howell, Law Practice Assoc., Indianapolis, IN 9/60-5/61

DeFor & Voran, Law Practice Assoc./Partner, Muncie, IN 5/61-1/69

Dept. of Interior, Consultant, Washington, DC 2/69-4/69

Dept. of Interior, Legialative Counsel, Washington, DC 4/69-9/72

Ball Corporation, Associate Gen. Counsel, Muncie, IN 9/72-4/73

Ball Corporation, Gen. Counsel & Assn't Sec'y, Muncie, IN 4/73-4/74

Ball Corporation, Vice Pres. & Gen. Counsel, Muncie, IN 4/74-1/79

Ball Corporation, Vice Pres. Administration, Muncie, IN 1/79-4/80

Employment record—Continued

Ball Corporation, V.P.-Gen. Mgr., Commercial Glass, Muncie, IN 10/81 4/80

Ball Corporation, Group V.P., Glass Containers, Muncie, IN 10/81-4/88

Ball-InCon Glass Packaging Corp., Chmn. of Bd., Muncie, IN 5/87-4-89

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

None.

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

None.

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
Muncie Rotary Club	1975 - Present	President '79-'80
American Bar Association	1960 - Present	
Indiana Bar Association	1960 - Present	
Muncie Bar Association	1960 - Present	
Merchants National Bank	Oct. 1980 - Present	Vice Chairman of Bd
A.E. Boyer & Company	May 1974 - Present	Director

Continued - Page 2A

Memberships (continued):

Organization	Dates	Office Held
Wm. A. Diddier & Sons	7/78 - Present	Director
Ball State University	1/80 - Present	Chmn./Bd. Trustees
Ball Brothers Foundation	1/86 - Present	Director
YMCA - Muncie Indiana	3/84 - Present	Chmn./Bd. Trustee
Ball Memorial Hospital	1/79 - Present	Director
Ball State University Foundation	6/84 - Present	Director
George & Francis Ball Foundation	1/85 - Present	Chmn. /Bd. Directors
Glass Packaging Institute	9/81 - 5/87	Trustee
Beta Thata Pi	3/64 - Present	
Phi Delta Phi	3/57 - Present	

Published writings:

List the titles, publishers and dates of any books, articles, or reports you have written.

None.

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

Yes, except for retirement benefits under the Ball Corporation Salaried Employee Pension Plan, Deferred Compensation Plan, 401(K) Plan, and Stock Option Plan.

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No.

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No.

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

Not applicable.

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

No.

Financial statement

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

Merchants National Bank Directors Fees $50,001-$100,000

Ball Corp. 401 (K) Retirement Plan @ age 65 $100,001-$250,000
Ball Corp. Life Insurance $15,001-$50,000
Ball Corp. Deferred Compensation @ age 65 over $250,000
Ball Corp. Early Retirement Pension Annual Income $5,001-$15,000
Ball Corp. Stock Options over $250,000

3. Are you currently a party to any legal action? If so, describe its nature and status.

No.

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No.

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes.

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

Yes. 1973 return was audited resulting from loss taken due to house fire. Issue was resolved by the payment of additional tax.

Potential conflicts of interest:

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

Amoco Corp.

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None.

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

None.

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes.

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

The method I pursue to resolve any potential conflict of interest will be based on the advice I receive from the Designated Agency Ethics Official. Attached is a copy of the DAEO's opinion letter regarding my reported interests.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

In the event that I am confronted by a situation that results in, or creates the appearance of a conflict of interest, I shall advise and seek the guidance of Interior's Designated Agency Ethics Official.

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

No.

AFFIDAVIT

I, FRANK A BRACKEN, being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief, current, accurate, and complete.

Frank A Bracken
(Signature of Nominee)

Subscribed and sworn to before me this 18 day of May, 1989

Elizabeth J Sherwood
Notary Public

My Commission Expires March 31, 1993

Form approved by the Committee February 5, 1985.

U.S. GOVERNMENT PRINTING OFFICE : 1989—43-095

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

Honorable Frank Q. Nebeker
Director, Office of Government Ethics
Office of Personnel Management
P.O. Box 14108
Washington, D.C. 20044

Dear Judge Nebeker:

This letter will document the actions I intend to take to prevent any actual or apparent conflict of interest under the statutes and regulations that will apply to me as Under Secretary of the Department of the Interior.

Upon confirmation as Under Secretary of the Department of the Interior, I will sell my stock interest in Amoco Corporation. I have been advised of the prohibition contained in 18 U.S.C. 208 and I will disqualify myself from working on any matters that may come before me as Under Secretary when those matters involve the financial interests held by me, my spouse, minor child or outside business associate. Even though Ball Corporation has no business dealings with the Department of the Interior, I will formally recuse myself for one year, from working on any matters that may come before me as Under Secretary when those matters involve Ball Corporation.

Upon confirmation I will resign my positions with the Merchants National Bank, Muncie, Indiana; A.E. Boyce and Company; Wm. A. Diddier and Sons; YMCA of Muncie, Indiana; and Ball Memorial Hospital.

I have been advised by the Department of the Interior Deputy Agency Ethics and Audit Coordination Official that all of the other financial interests and associations reported on my Financial Disclosure Report are in full compliance with the statutes and regulations that will be applicable to me as Under Secretary of the Department of the Interior.

Sincerely,

Frank A. Bracken

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

MAY 1 6 1989

Honorable Frank Q. Nebeker
Director, Office of Government Ethics
Office of Personnel Management
P.O. Box 14108
Washington, D.C. 20044

Dear Judge Nebeker:

The enclosed financial disclosure report filed by Mr. Frank Bracken for the position of Under Secretary, United States Department of the Interior, has been reviewed in compliance with 5 CFR 734.604(a). In addition to the standard conflict of interest prohibitions contained in 18 U.S.C. 201-209 and Executive Order 12674 the Under Secretary is also subject to five statutory prohibitions that apply only to employees in our Department. These statutory prohibitions are: 18 U.S.C. 437; 30 U.S.C. 6; 30 U.S.C. 1211(f); 43 U.S.C. 11 and 43 U.S.C. 31(a). Except for 30 U.S.C. 1211(f), the provisions of each of these statutes are extended to the Under Secretary by Department of the Interior regulations in 43 CFR Part 20.735.

Mr. Bracken is retired from Ball Corporation. Ball Corporation develops and manufactures packaging products, aerospace systems and diversified products, and has no business with the Department of the Interior. Mr. Bracken's interests in Ball Corporation stock, stock options, pension plans, life insurance plan and deferred compensation plan do not create a problem with any applicable conflict of interest statute or regulation. The Ball Corporation interests held by Mr. Bracken's wife and daughter also do not present a problem under any applicable law or regulation.

None of the real property interests reported by Mr. Bracken involve any Federal lands administered by this Department. The reported interests in First Merchant's Corporation, an Indiana banking corporation, and the money market funds are all acceptable interests. The money market funds and the Individual Retirement Account with Ball Corporation are not self-directed investments.

Under Department regulation, a financial interest in Amoco Corporation is prohibited to the Under Secretary and to other selected Department officials. Mr. Bracken has agreed to sell his interest in Amoco upon confirmation. All financial interests reported as held by Mr. Bracken's spouse are not prohibited by any ethics provision covering Department of the Interior employees.

The principal in the deferred compensation account with Ball Corporation consists of compensation payments for services Mr. Bracken provided to Ball Corporation prior to his retirement from that firm. Payments to the account have been completed.

Mr. Bracken's Ball Corporation pension plan is a fully vested, independently managed pension plan. The deferred compensation plan is also independently managed and payments from this plan will not begin until Mr. Bracken reaches age 65.

Mr. Bracken has agreed, upon confirmation as Under Secretary, to resign from his present positions with the for-profit organizations listed on Schedule D of his form. However, he would like to retain his positions with the Ball Brothers Foundation, Ball State University, the Ball State University Foundation, and the George & Francis Ball Foundation. All three foundations are tax exempt organizations under 26 U.S.C. 501(c)(3). Ball State University receives no grants from the Department of the Interior and the foundations have no business with the Department of the Interior. Mr. Bracken's continued association with these organizations will not require so much time as to adversely affect the services expected from him as Under Secretary of the Interior. Mr. Bracken has been advised of the administration's policy on fundraising and agrees to refrain from being involved in any fundraising activities connected with these three foundations and Ball State University. In our opinion, Mr. Bracken's continued participation with these organizations is fully acceptable under the provisions applicable to his position.

All of the other financial interests reported by Mr. Bracken are acceptable under the conflict of interest statutes and regulations that will apply to him as Under Secretary of the Department of the Interior. Based on our review and analysis of the reported financial interests and on the actions agreed to by Mr. Bracken in the enclosed commitment letter, I have certified to the enclosed financial disclosure report.

Sincerely,

Charles E. Kay

Charles E. Kay
Principal Deputy Assistant
Secretary - Policy, Budget and
Administration and Designated
Agency Ethics Official

Enclosures

SF 278 Rev. 1/87
Prior Edition Not
U.S. Office of Personnel Management

Financial Disclosure Report

Form Approved
OMB No. 3209-0547

Reporting Status (Check Appropriate Box)			Agency Use Only	OGE Use Only	Date of Appointment, Candidacy, Election or Nomination (Mo., Day, Yr.)	Termination Date (If Applicable) (Month, Day, Year)
☐ Incumbent	☒ New Entrant, Nominee, or Candidate	☐ Termination Filer	RECEIVED MAY 19 1989 ETHICS OFFICE			
Reporting Individual's Name	Last Name: BRACKEN		First Name and Middle Initial: FRANK A.			
Position for Which Filing	Title of Position: Under Secretary		Department or Agency (If Applicable): U.S. Department of the Interior			
Location of Present Office	Address (Number, Street, City, State and ZIP Code): 18th and C Streets, NW Washington, D.C.		Telephone No. (Include Area Code): 343-4863			
Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: Consultant - Department of the Interior April 16, 1989 to present					
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Energy and Natural Resources		Do You Intend to Create a Qualified Diversified Trust? ☐ Yes ☒ No			

Certification	Signature of Reporting Individual	Date (Month, Day, Year)
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	Frank A. Bracken	Apr. 26, 1989
Other Review (If desired by agency)	Signature of Other Reviewer	Date (Month, Day, Year)
Agency Ethics Official's Opinion	Signature of Designated Agency Ethics Official/Reviewing Official	Date (Month, Day, Year)
The information contained in this report discloses no conflict of interest under applicable laws and regulations.	Charles E. Kay	5/16/89
Office of Government Ethics Use Only	Signature	Date (Month, Day, Year)

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

(Check box if comments are continued on the reverse side) ☐

Reporting Periods

Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A (except for BLOCK D), C, and D. (Candidates do not file Part II of Schedule D.

- **Schedule A**—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I (Liabilities)**—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II (Agreements and Arrangements)**—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

DEPT. OF THE INTERIOR ★ MAY 15 1989 ★ ETHICS OFFICE

Reporting Individual's Name: Frank A. Bracken

Assets and Income

Page Number: 2

Schedule A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA accounts, estate or certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources		BLOCK B Valuation of Assets								BLOCK C Income														BLOCK D Transactions Test	
Identify each asset and income source of yours, your spouse($) and your dependent child (DC). NONE ☐		Category of Value (X)								Type of Income (X)							Other (Specify Type)	Category of Amount of Income (X)								Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Subd. D Part I for those assets including those sold for a loss.	
		None (or less than $1001)	$1,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust		None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
Exempt DC	X Y Z Common				X			X									X							--		X	
	Dan Jones & Smith, Hometown, USA			X										ownship income										$60,000			
1	Goldman Sachs Tax Free Money Market fund						X			X									X								
2	First Merchant Corporation				X			X									X									
3	Time Inc.				X			X								X										
4	Lilly Eli & Co.					X		X										X								
5	Amoco Corp.					X		X											X							
6	Ball Corporation						X	X														X				
7	1/23 Interest in Ball Royalty Trust*			X										Royalties									$3,870			
8	Summer Home Pointe-Aux-Barques, MI					X				X								X								
9	1/6 Interest in 220 acre farm Del. County, Indiana				X					X							X									
10	Ball Corp. Stock Options						X								X											

PREVIOUS EDITION USABLE

* Revocable Trust established in 1953. Trust assets include royalty interests in 19 private properties in Texas.

278 (Rev. 1-86)
d Chapter 734
- Office of Personal Management

Reporting Individual's Name

Frank A. Bracken

Assets and Income

DEP'T. OF THE INTERIOR
MAY 15 1989
ETHICS OFFICE

Form Approved
OMB No. 3209-0001

Page Number 3

Schedule A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal business and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources	BLOCK B Valuation of Assets								BLOCK C Income																				BLOCK D Transactions Test	
Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	Category of Value (X)								Type of Income (X)							Other (Specify Type)	Category of Amount of Income (X)											Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Schd. B Part I for those assets including those sold for a loss.	
	None (or less than $1001)	$1,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust		None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
Exemplo: X Y Z Common Doe Jones & Smith, Hometown, USA			X				X								X							partnership income				$60,000		X	
1 Merchants National Bank Muncie, Indiana																Director's Fees											$15,800			
2 Merchants National Bank Deferred Compensation Acct.					X											Director's Fees	X													
3 Ball State University Muncie, Indiana																Trustee's Fees											$850			
4 A.E. Boyce & Co. Muncie, Indiana																Director's Fees											$300			
5 Wm. A. Diddier & Sons, Inc. Ft. Wayne, Indiana																Director's Fees											$300			
6 IRA - Variable Rate Fund Ball Corp.			X				X								X															
7 Ball Corporation																Salary											$196,000			
8 Ball Corp 401 K Retirement Plan. Payments @ age 65						X																								
9 Ball Corporation Life Insurance				X													X													
10 Ball Corporation deferred Compensation plan																														

NSN 7540-01-070-5248

Office of Personal Management

Reporting Individual's Name: Frank A. Bracken

Assets and Income

DEP'T. OF THE INTERIOR ★ MAY 15 1989 ★ ETHICS OFFICE

Page Number 4 | Schedule A

All Filers: In BLOCK A report (a) the entity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $200 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal business and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period, for a value that exceeds $1000?

BLOCK A Assets & Income Sources	BLOCK B Valuation of Assets									BLOCK C Income																	BLOCK D Transactions Test	
Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	Category of Value (X)									Type of Income (X)						Other (Specify Type)	Category of Amount of Income (X)									Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Schd. B Part I for these assets (excluding those sold for a loan.)	
	None (or less than $1001)	$1,001-$8,000	$8,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust		None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
Exam-ples: X Y Z Common			X		X			X										X								X	
Exam-ples: Doe Jones & Smith, Hometown, USA														pinship income									$60,000				
S 1/6 Interest in 220 acre farm Del. County, Indiana			X						X								X										
S Investors Corp., Inc.			X							X							X										
S National Money Mkt. Fund				X						X							X										
S Bristol Myers Co.			X					X								X											
S Walt Disney Company				X				X_1			X_2					X_1	X_2											
S Financial News Composite Fund, Inc.		X						X								X											
S Hartmarx Corp. (Sold 11/88)	X							X_1			X_2					X_1	X_2											
S Mobil Corp. (Sold 4/89)	X							X								X											

PREVIOUS EDITION USABLE

278-300

NSN 7540-01-070-5015

278 (Rev. 1-87)
U.S. Office of Personnel Management

DEPT. OF THE INTERIOR
MAY 10 1989
ETHICS OFFICE

Reporting Individual's Name: Frank A. Bracken

Assets and Income

Page Number: 5

Schedule A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 received from the assets and other sources of income listed in BLOCK A. You must report the actual amount of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Transactions and Transactions Filers only: In BLOCK D, for any real property, stocks, bonds, or commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐			BLOCK B Valuation of Assets Category of Value (X)								BLOCK C Income Type of Income (X)							BLOCK C Category of Amount of Income (X)										BLOCK D Transactions Test	
			None (or less than $101)	$1,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	If yes, complete Block D, Part I for those assets indicating those sold for $ less. YES	NO
		XYZ Common			X				X									X									
		Doe Jones & Smith, Hometown, USA		X																								
1 S	National Med. Entr. Inc. (Sold 2/88)		X						X						ownship income									$50,000		X	
2 S	Pacific Lighting Corp. (Exchanged 2/88)		X						X								X										
3 S	Pacific Enterprises Ltd. (Sold 11/88)		X						X								X										
4 S	Snyder Oil Partners, L.P.		X	(Sold 10/88)					X								X										
5 S	Wall-Mart Stores, Inc.				X				X									X									
6 S	Thomson McKinnon Investment Trust - Convertible Sec. Fund			X							X						X										
7 S	Comstock Partners			X					X								X										
8 S	Strategy Fund, Inc.			X					X								X										
9 S	Builders Transport Inc.			X					X																		
10																											

DEPT. OF THE INTERIOR
★ MAY 15 1989 ★
ETHICS OFFICE

Reporting Individual's Name: Frank A. Bracken

Assets and Income

Page Number: 6 | Schedule: A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

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Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

	BLOCK A: Assets & Income Sources — Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	BLOCK B: Valuation of Assets — Category of Value (X): None (or less than $1001) / $1,001-$15,000 / $15,001-$50,000 / $50,001-$100,000 / $100,001-$250,000 / Over $250,000	BLOCK C: Income — Type of Income (X): Dividends / Rent / Interest / Capital Gains / Exempted Trust / Qualified Trust / Other (Specify Type)	BLOCK C: Income — Category of Amount of Income (X): None (or less than $101) / $101-$1,000 / $1,001-$2,500 / $2,501-$5,000 / $5,001-$15,000 / $15,001-$50,000 / $50,001-$100,000 / Over $100,000	BLOCK C: Actual Amount Only if "Other" Specified	BLOCK C: Date (Mo., Day, Yr.) Only if Honoraria	BLOCK D: Transactions Test — If yes, complete Schd. D Part I for those assets (including those sold for a loss): YES / NO
S DC	Examples: X Y Z Common — Doe Jones & Smith, Hometown, USA	X	Dividends; partnership income	$1,001-$2,500	--		X /
1	S Thomson McKinnon Investment Trust - Precious Metals Fund	$15,001-$50,000	Interest	$101-$1,000	$50,000		
2	S Prospect Street High Income Portfolio, Inc.	$15,001-$50,000	Dividends	None (or less than $101)			
3	S National Intergroup, Inc.	$50,001-$100,000	Dividends	$101-$1,000			
4	S Cooper Tire & Rubber Co.	$15,001-$50,000	Dividends	None (or less than $101)			
5	S Capital Appreciation Plus L.P.1	$50,001-$100,000		None (or less than $101)			
6	S Emery Air Frieght Corp. (Sold 2/89)	None (or less than $1001)	Capital Gains	$101-$1,000			
7	S Ball Corporation	$100,001-$250,000	Dividends	$5,001-$15,000			
8							
9							
10							

DEPT. OF THE INTERIOR
MAY 15 1989
ETHICS OFFICE

Reporting Individual's Name: Frank A. Bracken

Assets and Income

Page Number: 7

Schedule A

All Filers: In BLOCK A report (a) the entity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset source of income which generated over $200 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal business and partnership interests. Exclude your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

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Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

BLOCK A Assets & Income Sources Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	BLOCK B Valuation of Assets Category of Value (X)								BLOCK C Income Type of Income (X)							BLOCK C Income Category of Amount of Income (X)										BLOCK D Transactions Test If yes, complete Sched. D Part I for these assets including those sold for a loss.	
	None (or less than $1001)	$1,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	YES	NO
Example: X Y Z Common			X				X									X										
Example: Doe Jones & Smith, Hometown, USA			X				X									X										
1/6 Interest in 220 acre farm Del. County, Indiana			X					X					ptnrshp income			X						$50,000			X
Money Market Fund				X					X							X										
U.S. Treasury Notes and Bonds				X					X								X									
Ball Corporation					X		X											X								
Lilly Eli & Co.				X			X										X									
Time Inc.				X			X									X										

NSN 7540-01-070-6240

51

278 (Rev. 1/87)
* Chapter 73A
Office of Personnel Management

Form Approved
OMB No. 3209-0006

Reporting Individual's Name
Frank A. Bracken

Page Number		Schedule
	8	C

Part I
Liabilities

All Filers: Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to relatives. See instructions for revolving charge accounts.

NONE ☐

Creditor (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (X) $10,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	Over $250,000
Exemplar: First District Bank, Washington, DC	Mortgage on rental property, Rehoboth Beach, Delaware	1981	13%	20 yrs.			X		
Exemplar: John Jones, 123 J St., Washington, DC	Promissory note	1979	10%	on demand	X				
Merchants National Bank, Muncie, Ind	Promissory note	1985	11%	6 mos			X		
Merchants National Bank, Muncie, Ind	Promissory note	1986	11½%	1 yr				X	
New England Mutual Life Insurance Company 501 Boylston St., Boston, Mass 02117	Promissory note	1987	5%	float		X			

Part II
Agreements Or Arrangements

All Filers: Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

NONE ☐

Status and Terms of any Agreement or Arrangement	Parties	Date (Mo., Yr.)
Example: Pursuant to partnership agreement, will receive capital account & partnership share calculated on service performed through 11/83	Doe Jones & Smith, Home town, USA	7/78 ponership agmnt
Participant as a retiree in Ball Corp, salaried employee pension plan, deferred		
compensation plan and life insurance policy. Deferred compensation plan benefits		
begin at age 65.		mid 1970's
Merchant National Bank - Deferred compensation account.		10/80

PREVIOUS EDITION USABLE

278-100

78 (Rev. 1/87)
Chapter 73
Office of Personal Management

Reporting Individual's Name

Frank A. Bracken

DEPT. OF THE INTERIOR
MAY 15 1989
ETHICS OFFICE

Form Approved
OMB No. 3209-0006

Page Number	9	Schedule D

Part I
Positions Held Outside U.S. Government

Filers: Report any positions held during the applicable reporting period. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities or those solely of an honorary nature.

NONE ☐

	Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	6/83
	Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/78	11/82
	Ball Corporation	Manufacturing Corp.	Group Vice President	9/72	4/89
	Ball InCon Glass Packaging Corp.	Glass manufacturing	Chairman, Board of Directors	5/87	4/89
	Merchants National Bank	Banking	Vice Chairman Board of Directors	10/80	Present
	A. E. Boyce and Company	Form printing business	Director	5/74	Present
	Ball State University	Education	Chairman, Board of Trustees	1/80	Present
	Wm. A. Diddier and Sons	Plastic Charge Cards	Director	7/78	Present

Part II
Compensation in Excess Of $5000 Paid by One Source

Nominees and New Entrants only: Report sources of such compensation received by you or your business affiliation for services directly provided by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership or other business enterprise, or any nonprofit organization, when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

NONE ☐

	Source (Name and Address)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, USA	Legal services
	Metro University (client of Doe Jones & Smith) Hometown, USA	Legal services in connection with university construction
	Ball Corporation, Muncie, Indiana	Chairman, Board of Directors, Ball InCon Corp.
	Merchants National Bank, Muncie, Indiana	Director

SF 278 (Part II)
5 CFR Chapter XIV
U.S. Office of Personnel Management

Reporting Individual's Name

Frank A. Bracken

DEPT. OF THE INTERIOR
★ MAY 15 1989 ★
ETHICS OFFICE

Form Approved
OMB No. 3209-0001

Page Number	10	Schedule D

Part I
Positions Held Outside U.S. Government

All Filers: Report any positions held during the applicable reporting period. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution.

Exclude positions with religious, social, fraternal, or political entities or those solely of an honorary nature.

NONE ☐

Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples: Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/82	6/86
Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/76	11/88
Ball Brothers Foundation	Private, non-profit charitable organization	Director	1/86	Present
YMCA - Muncie, Indiana	Charitable organization	Chairman, Board of Trustees	3/84	Present
Ball Memorial Hospital	Health care organization	Board of Directors	1/79	Present
Ball State University Foundation	Education	Board of Directors	6/84	Present
George & Francis Ball Foundation	Charitable Foundation	Chairman, Board of Directors	1/85	Present
Glass Packaging Institute	Trade Association	Trustee	9/81	5/87

Part II
Compensation in Excess Of $5000 Paid by One Source

Nominees and New Entrants only: Report sources of such compensation received by you or your business affiliation for services directly provided by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership or other business enterprise, or any nonprofit organization, when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

NONE ☐

Source (Name and Address)	Brief Description of Duties
Examples: Doe Jones & Smith, Hometown, USA	Legal services
Metro University (client of Doe Jones & Smith) Hometown, USA	Legal services in connection with university construction
See information on previous page.	

278-100

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UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: Jamison (LAST) Delos (1ST) Cy (OTHER)

Position to which nominated: Director, Bureau of Land Management Date of nomination: 5/31/89

Date of birth: 4 (DAY) 12 (MONTH) 49 (YEAR) Place of birth: Billings, Montana

Marital status: Single Full name of spouse: _____

Name and ages of children _____

Education:

Institution	Dates attended	Degrees received	Dates of degrees
Eastern Montana College	9/67 - 6/71	B.S. Education	6/71
Ryegate Public Schools	8/55 - 5/67	High School Dip.	5/67

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

See Attachment A

Employment record—Continued

Military service: Describe any military service not listed above, including dates, rank, and type of discharge.

None

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Who's Who In American Colleges & Universities

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Dates	Office held (if any)
Breakfast Exchange Club	1974 - Present Presently honorary member	Board of Directors - President
Billings Federal Credit Union	1979 - 1981	Board of Directors
EMC Alumni Association	1977 - 1980	Vice President
City of Billings	1979 - 1981	Councilman
Community Development Commission	1978	None
Chamber of Commerce	1982 - 1989	None
Elks	Current Member	None

Published writings: List the titles, publishers and dates of any books, articles, or reports you have written.

None

Future employment relationships:

1. Will you sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate?

Yes, except I still plan to maintain my two real estate partnerships.

2. Do you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization?

No

3. Has a commitment for employment after you leave government been made to you by anyone? Have you made any such commitment?

No No

4. (a) If you have been appointed for a fixed term, do you expect to serve the full term?

N.A.

Future employment relationships—Continued

(b) If you have been appointed for an indefinite term, are there any known limitations on your willingness or ability to serve for the foreseeable future?

None

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

Benefits of Civil Service Retirement Plan

3. Are you currently a party to any legal action? If so, describe its nature and status.

No

4. Have you ever declared bankruptcy? If so, describe the circumstances.

No

5. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes

6. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Potential conflicts of interest:

1. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

I am a partner with James A. Rock, Jamrock Properties, who is a lobbyist for Montana Power Co. and Washington Water Power Co. To address any possible conflict, see attached recusal letter to the Director, Office of Government Ethics.

2. Describe any business relationship, dealing or financial transaction (other than taxpaying) that you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, which might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None

3. Describe any lobbying activity which you have performed during the past 10 years with respect to legislative or administrative actions at the Federal, State or local level.

For a brief period while I was on the City Council, 1979 to 1981, I lobbied the Montana State Legislature on behalf of the City of Billings, Montana.

4. Have you been informed of the conflict of interest laws and regulations applicable to the position to which you have been nominated?

Yes

Potential conflicts of interest—Continued

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to this form and the attachments thereto. Attach a statement of the appropriate agency ethics official explaining the applicable laws or regulations, any potential conflicts, and the action required to resolve such conflicts.

See attached recusal statement addressing any possible conflicts with my Jamrock Properties partnership.

6. Explain how you will resolve any potential conflicts of interest that may arise in the future if you are confirmed for the position for which you have been nominated.

If I become aware of any potential conflicts, I will contact the appropriate ethics office and follow their advice and counsel.

Public disclosure: Do you have any objections to this form and the attachments thereto being made public?

No

AFFIDAVIT

I, Delos Cy Jamison, being duly sworn, hereby state that I have read the foregoing Statement for Completion by Presidential Nominees, including all attachments thereto, and that the information provided therein is, to the best of my knowledge and belief, current, accurate, and complete.

Delos Cy Jamison
(Signature of Nominee)

Subscribed and sworn to before me this 5 day of June, 1989

Elizabeth L. Sherwood
Notary Public

My Commission Expires March 31, 1992

Form approved by the Committee February 5, 1985.

U.S. GOVERNMENT PRINTING OFFICE: 1987—67-074

Attachment A

February 1985 to Present: Legislative Advisor on National Parks and Public Lands Subcommittee, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

May 1984 to February 1985: Congressman Marlenee's District Field Director, U.S. House of Representatives, Billings, Montana.

July 1983 to May 1984: House Liason For the Secretary of Interior, Office of Congressional Affairs, Department of the Interior, Washington, D.C.

March 1981 to July 1983: Republican Consultant on Oversight and Investigations Subcommittee, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

February 1980 to March 1981: Legislative Affairs Specialist, Montana State Office, Bureau of Land Management, Billings, Montana.

1978 to 1980: Youth Program Manager, Montana State Office, Bureau of Land Management, Billings, Montana.

1976 to 1978: Employee Development Specialist, Montana State Office, Bureau of Land Management, Billings, Montana.

1974 to 1976: Public Affairs Specialist, Montana State Office, Bureau of Land Management, Billings, Montana.

1973 - 1974: Public Affairs Specialist, Temporarily reassigned to the Secretary of the Interior's Field Office in Denver, Colorado.

1972 - 1973: Public Affairs Specialist, Montana State Office, Bureau of Land Management, Billings, Montana.

1971 - 1972: Fire Control Tech., Montana State Office, Bureau of Land Management, Billings, Montana.

1967 - 1971: Held both Bureau of Land Management and U.S. Forest Service temporary summer positions in fire suppression. These were usually four month appointments.

99-879 O - 89 - 3

Honorable Frank Q. Nebeker
Director, Office of Government Ethics
Office of Personnel Management
P.O. Box 14108
Washington D.C. 20044

Dear Judge Nebeker:

This letter will document the action I intend to take to prevent any actual or apparent conflict of interest under the statutes and regulations that will apply to me as Director, Bureau of Land Management.

Upon confirmation as Director, Bureau of Land Management, I will recuse myself from becoming involved in official matters other than general rulemaking dealing with Montana Power Company and Washington Water Power Company and their subsidiaries or affiliates.

This recusal action will remain in effect for as long as I serve in the capacity of Director, Bureau of Land Management, or hold an interest in the JamRock Partnership.

I have been advised by the Department of the Interior Deputy Agency Ethics and Audit Coordination Official that all of the other financial interests and associations reported on my Financial Disclosure Report are in full compliance with the statutes and regulations that will be applicable to me as Director, Bureau of Land Management.

Sincerely,

Delos Cy Jamison

Delos Cy Jamison

SF 278 (Rev. 1/87)
5 CFR Chapter XCVI
U.S. Office of Personnel Management

Financial Disclosure Report

Form Approved
OMB No. 3209-0002

Reporting Status (Check Appropriate Box)		Agency Use Only	OGE Use Only	Date of Appointment, Candidacy, Election or Nomination (Mo., Day, Yr.)	Termination Date (If Applicable) (Month, Day, Year)
☐ Incumbent	☒ New Entrant, Nominee, or Candidate ☐ Termination Filer				

	Last Name	First Name and Middle Initial
Reporting Individual's Name	Jamison	Delos Cy
Position for Which Filing	Title of Position	Department or Agency (If Applicable)
	Director, Bureau of Land Management	Department of the Interior
Location of Present Office	Address (Number, Street, City, State and ZIP Code)	Telephone No. (Include Area Code)
	18th & C Streets N.W., Washington, D.C. 20240	202-343-3801
Position(s) Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held	
	U.S. House of Reps., Interior Comm., 1329 Longworth, Washington, D.C. 20515	

	Name of Congressional Committee Considering Nomination	Do You Intend to Create a Qualified Diversified Trust?
Presidential Nominees Subject to Senate Confirmation	Senate Energy & Natural Resources	☐ Yes ☒ No

Certification	Signature of Reporting Individual	Date (Month, Day, Year)
I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief.	Delos Cy Jamison	05-01-89
Other Review (If desired by agency)	Signature of Other Reviewer	Date (Month, Day, Year)
Agency Ethics Official's Opinion	Signature of Designated Agency Ethics Official/Reviewing Official	Date (Month, Day, Year)
The information contained in this report discloses no conflict of interest under applicable laws and regulations	Charles E. Kay	6/1/89
Office of Government Ethics Use Only	Signature	Date (Month, Day, Year)

Reporting Periods

Incumbents: Complete Schedules A, B, C, and Part I of D. The reporting period is the preceding calendar year except for Part II of Schedule C and Part I of Schedule D where you must also include any positions held or agreements or arrangements made from the beginning of the filing year until the date you file.

Termination Filers: Complete Schedules A, B, C, and Part I of D. The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination.

Nominees, New Entrants and Candidates for President and Vice President: Complete Schedules A (except for BLOCK D), C, and D. (Candidates do not file Part II of Schedule D.

- **Schedule A**—The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets in BLOCK B as of any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part I** (Liabilities)—The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.
- **Schedule C, Part II** (Agreements and Arrangements)—Show any agreements or arrangements as of the date of filing.
- **Schedule D**—The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

Schedule C, Part I, Items 3-5: Variable interest rates capped at 14%, based on 10.5% per annum adjusted quarterly on January 1, April 1, July 1, and October 1 tied to 90 day U.S. Treasury bill rate. Changes made per telecon with D.C. Jamison on May 22, 1989.

(Check box if comments are continued on the reverse side) ☐

Reporting Individual's Name: Jamison, Delos Cy

Assets and Income | Page Number 2 | Schedule A

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. **Exclude** your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

	BLOCK A: Assets & Income Sources (Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐)	BLOCK B: Valuation of Assets — Category of Value (X): None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	BLOCK C: Income — Type of Income (X): Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust	Other (Specify Type)	Category of Amount of Income (X): None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	BLOCK D: Transactions Test — If yes, complete Schd. B Part I for those assets including those sold for a loss. YES	NO
S/SP/DC	Examples: X Y Z Common				X				X									X								X	
	Doe Jones & Smith, Hometown, USA			X											ptnrship income									$50,000			
1	Schrojam Partnership: a) Duplex, 816 Clark Ave. Billings, MT					X				X										X*							
2	b) Lot, 819 Grand Ave. Billings, MT					X				X								X*									
3	c) Duplex, 818 Ave. B Billings, MT					X				X										X*							
4																											
5	JamRock Partnership: Single Family residence 306 Const. Ave. N.E., Washington, D.C.							X		X										X*							
6																											
7																											
8	Badgett/Jamison Trucking - ⅓ ownership ICC Trucking permit Broadview, MT		X													X											
9																											
10	Single Family residence 713 Lewis Ave. Billings, MT					X				X									X								

*I receive no direct partnership income. These properties produce income, however it is all returned to the partnership for debt retirement and O&M.

PREVIOUS EDITION USABLE

278-208

NSN 7540-01-370-8018

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Form Approved
OMB No. 3209-0002

Reporting Individual's Name	Assets and Income	Page Number	3	Schedule A
Jamison, Delos Cy				

All Filers: In BLOCK A report (a) the identity of each asset held for the production of income at the close of the reporting period which had a fair market value exceeding $1000 and (b) any other asset or source of income which generated over $100 in income during the reporting period. This includes but is not limited to employers, stocks, bonds, tax shelters, bank accounts, real property, mutual funds, pensions, IRA assets, assets of certain trusts, commodities futures, personal businesses and partnership interests. **Exclude** your personal residence unless you rent it out. See instructions for rules on bank accounts and complex holdings.

All Filers: In BLOCK B report the value of each asset listed in BLOCK A which had a fair market value exceeding $1000 at the close of the reporting period.

All Filers: In BLOCK C report the type and amount of income exceeding $100 or more received from the assets and other sources of income listed in BLOCK A. You must report the **actual amount** of any income not of a type specifically noted below. You need not report the actual amount of your spouse's earned income, only the source in BLOCK A. You may not check "qualified trust" unless you have a blind trust which has been specifically approved by the Office of Government Ethics. If you, your spouse or dependent child are the beneficiary of a trust which no one of you created and has no knowledge of the assets, refer to the instructions to see if it qualifies as an "excepted trust." If "none" (or less than $101) is checked under Category of Amount of Income, no other entries need be made in BLOCK C for that item.

Incumbents and Termination Filers only: In BLOCK D, for any real property, stocks, bonds, commodities futures and other securities listed in BLOCK A, did you purchase, sell, or exchange the item during the reporting period for a value that exceeds $1000?

	BLOCK A Assets & Income Sources	BLOCK B Valuation of Assets							BLOCK C Income																			BLOCK D Transactions Test	
	Identify each asset and income source of yours, your spouse(S) and your dependent child (DC). NONE ☐	Category of Value (X)							Type of Income (X)						Other (Specify Type)	Category of Amount of Income (X)									Actual Amount: Only if "Other" Specified	Date (Mo., Day, Yr.) Only if ., Honoraria	If yes, complete Schd. B Part I for those assets including those sold for a loss.	
		None (or less than $1001)	$1,001-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000	Dividends	Rent	Interest	Capital Gains	Excepted Trust	Qualified Trust		None (or less than $101)	$101-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000			YES	NO
S or DC	Examples: X Y Z Common				X				X									X									X	
	Doe Jones & Smith, Hometown, USA			X											ptnrshp income									$50,000			
1	Stock-Security Fed Savings Bank Billings, MT		X						X							X												
2																												
3																												
4																												
5																												
6																												
7																												
8																												
9																												
10																												

SF 278 (Rev. 1/87)
FPM Chapter 738
U.S. Office of Personal Management

Form Approved
OMB No. 3209-0060

Report ng Individual's Name

Jamison, Delos Cy

Page Number	4	Schedule B

Part I
Transactions

Incumbents and Termination Filers only: Report any purchase, sale or exchange by you, your spouse or dependent child during the reporting period of any real property, stocks, bonds, commodities futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction between you, your spouse or your dependent child.

NONE ☐

S or DC	Example	Identification of Assets	Type of Transaction (X)				Amount of Transaction (X)					
			Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	$1,001-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000
	Example	X Y Z Common	X			3/1/83		X			
1	N/A										
2											
3											
4											
5											
6											

Part II
Gifts, Reimbursements and Travel Expenses

Incumbents and Termination Filers only: Report the source, a brief description and the value of: (1) in-kind gifts of transportation, lodging, food or entertainment received from one source totaling $250 or more unless received as personal hospitality at the donor's personal or family residence; (2) other gifts received from one source totaling $100 or more in value; and (3) cash reimbursements of $250 or more received from one source. Exclude gifts and reimbursements received by your spouse that were given totally independent of their relationship to you. **Exclude** transportation, lodging, food and reimbursements from the U.S. Government. For (1) and (2), **exclude** gifts from relatives and **exclude** gifts of $35 or less when aggregating them for the total from one source. See instructions for further exclusions.

NONE [X]

S	Source (Name and Address)	Brief Description	Value
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/83	$500
Examples	Nat'l Assn. of Rock Collectors, NY, NY	Leather briefcase for retiring president	$125
1	N/A		
2			
3			
4			
5			
6			

PREVIOUS EDITION USABLE

278-109

SF 278 (Rev. 1/87)
5 CFR Chapter XXIV
U.S. Office of Personnel Management

Form Approved
OMB No. 3209-0007

Reporting Individual's Name
Jamison, Delos Cy

Page Number	5	Schedule C

Part I
Liabilities

All Filers: Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to relatives. See instructions for revolving charge accounts.

NONE ☐

S or DC		Creditor (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	Category of Amount or Value (X) $10,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000	Over $250,000
S	Exam-ples	First District Bank, Washington, DC	Mortgage on rental property, Rehoboth Beach, Delewere	1981	13%	20 yrs.			X		
DC		John Jones 123 J St., Washington, DC	Promissory note	1979	10%	on demand	X				
1		Crestar Mortgage Corp. Dept. 1, Box 79001, Balt. MD	½ of note Mortgage on rental, 306 Const. WashDC	1985	12.5*	30yr			X		
2		Chevy Chase F.S.B. Box 15260, Chevy Chase, MD 20815	2nd mort. on rental, 306 Const. Wash D.C. ½ of note	1988	12*	10yr			X		
3		Billings F.C.U. Box 1779, Billings, Montana 59103	Mort. rental, 713 Lewis Ave. Billings, Montana	1985	11*	12yr		X			
4		Billings F.C.U. Box 1779, Billings, Montana 59103	Mort. rental, 818 Ave B., Billings Montana - ½ of note	1986	11*	12yr		X			
5		Billings F.C.U. Box 17[illegible], Billings, Montana 59103	Mort. rental, 836 Clark Ave., Billings Montana - ½ of note	1986	11*	12yr		X			
6		Equitable Bank, NA, 100 South Charles St. Balt. MD 21201	Personal credit line	1988	12.5*	10yr	X				

* variable interest rate

Part II
Agreements Or Arrangements

All Filers: Report your agreements or arrangements for future employment, leaves of absence, continuation of payment by a former employer (including severance payments), or continuing participation in an employee benefit plan. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

NONE ☐

	Status and Terms of any Agreement or Arrangement	Parties	Date (Mo., Yr.)
Example	Pursuant to partnership agreement, will receive capital account & partnership share calculated on service performed through 11/83	Jones & Smith, Home town, USA	7/75 ptnership agmnt.
	Civil Service Retirement Plan - paid in approximately 18 + years	U.S. Government	

PREVIOUS EDITION USABLE

278-109

278 (Rev. 1/87)
FPM Chapter 734
U.S. Office of Personnel Management

Form Approved
OMB No. 3206-0082

Reporting Individual's Name
Jamison, Delos Cy

Page Number	6	Schedule D

Part I
Positions Held Outside U.S. Government

All Filers: Report any positions held during the applicable reporting period. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution.

Exclude positions with religious, social, fraternal, or political entities or those solely of an honorary nature.

NONE ☐

Organization (Name and Address)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples: Nat'l Assn [illegible]ck Collectors, NY, NY	Non-profit education	President	6/82	6/83
Doe Jones & Smith, Hometown, USA	Law firm	Partner	7/75	11/83
Jamrock Properties, 306 Constitution N.E., Wash, DC 20002	real estate	Partner*	2/85	present
Schrojam Properties, 4123 Well Place, Billings, MT 59106	real estate	Partner*	6/86	present
Badgett/Jamison Trucking, Broadview, Montana 59106	ICC permit holder MC188142	Part ownership of permit only *	8/86	present
		*Passive partnership income only		

Part II
Compensation in Excess Of $5000 Paid by One Source

Nominees and New Entrants only: Report sources of such compensation received by you or your business affiliation for services directly provided by you during the reporting period. This includes the names of clients and customers of any corporation, firm, partnership or other business enterprise, or any nonprofit organization, when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

NONE ☒

Source (Name and Address)	Brief Description of Duties
Examples: Doe Jones & Smith, Hometown, USA	Legal services
Metro University (client of Doe Jones & Smith) Hometown, USA	Legal services in connection with university corporation

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APPENDIX II

Responses to Additional Questions

Department of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240

JUN 16 1989

Honorable J. Bennett Johnston
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed please find my responses to questions for the record following my confirmation hearing on June 12. If you have any further questions, please let me know.

I deeply appreciate all your assistance in expeditiously scheduling my hearing before your Committee. I look forward to working with you and your colleagues in the coming months.

Sincerely,

Frank A. Bracken
Under Secretary-Designate

Enclosures

cc: Honorable James A. McClure, Ranking Minority Member
Committee on Energy and Natural Resources
United States Senate

Under Secretary--Designate

Senator Johnston

1. Question: Have you ever been investigated, arrested, charged or held by any Federal, State or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, please explain.

Answer: As reported on the "Supplement to Standard Form 86," in October 1982, Ball State University's investment practices were the subject of a grand jury investigation prompted by articles appearing in the student newspaper, the Ball State Daily News. The grand jury looked into the questions whether the University's investment of its funds in certificates of deposits and repurchase agreements of the six Muncie financial institutions violated the Indiana Conflict of Interest statute, since three of the members of the University Board of Trustees (including me) and the University President had associations with some of the institutions. At the time I was (and still am) a Director of one of the institutions, the Merchants National Bank of Muncie, and I owned (and still own) stock in the Bank, although much less than 1% of the outstanding shares.

The grand jury found no evidence of a knowing or intentional violation of any Indiana statute or of any wrongdoing whatsoever by any Trustee or employee of the University, and it issued no indictments. The grand jury found that the University was following a long-established practice of investing in local financial institutions, and that the Board of Trustees had no involvement in this process. The University's investment responsibilities are delegated to the Controller of the University, whose office makes investment decisions based upon bids received from the financial institutions - and always accepts the bid which produces the highest yield.

The only significant change in the University's investment practices resulting from the investigation is that the University has implemented a revised set of procedures under which bids for funds are obtained from out-of-town, as well as local, financial institutions.

2. Question: Have you ever been convicted (including a plea of guilty or nolo contendre) of any criminal violation other than a minor traffic offense?

Answer: No.

Senator Johnston

3. Question: Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Answer: No.

4. Question: Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

5. If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of your or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

6. Question: During the past ten years, have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

Answer: No.

7. Question: Have you or your spouse ever registered under the Foreign Agents Registration Act? If so, please furnish details.

Answer: No.

8. Question: Were all your taxes (Federal, State, and local) current (filed and paid) as of the date of your nomination hearing? If not, please explain.

Answer: Yes.

Under Secretary--Designate

Senator Johnston

9. Question: Have all your Federal, State, and local taxes always been paid on time? If not, please explain.

Answer: Yes.

10. Question: If confirmed, are there any known limitations on your willingness or ability to serve for your full term or until the next Presidential election, whichever is applicable?

Answer: No.

11. Question: Please advise the Committee of any additional information, favorable or unfavorable, which you think the Committee would want to be aware of in considering your nomination.

Answer: I know of no additional information to furnish.

12. Question: On June 8, the Department testified at a Subcommittee hearing before this Committee. The announcement of that hearing and the request for a Departmental witness went out on May 11th. While the Department's statement on one of the three measures was delivered to the Committee late in the afternoon on June 7, the other two statements were not available to the Subcommittee until the witness appeared at the hearing at 9:30 a.m.

The rules of the Senate require that testimony be available to the Committee 24 hours in advance. With adequate lead time, and under most normal situations, it is hard for me to understand why the Department cannot meet this requirement. The Department routinely tells us that OMB holds things up while OMB claims that it never gets the Department's testimony until the last minute. The only thing certain is that testimony received by the Committee 5 minutes before the hearing begins is essentially useless in the context of that hearing.

If you are confirmed, I would like you to send the Committee a letter outlining the Department's procedure for preparing and clearing testimony along with any thoughts you have on what the Department, OMB, or the Congress can do to improve this situation. I would like this letter no later than 30 days after you are confirmed.

Are you prepared to work with us in this regard?

Answer: As a former legislative counsel for the Department of the Interior, I certainly understand your concerns regarding timely congressional hearing testimony. I am fully prepared to work with the Committee to address the problem cited, and I will submit to the Committee within the next 30 days a full report on the Department's procedures for preparing and clearing testimony as well as my thoughts on how to improve those procedures.

Under Secretary--Designate

Senator Johnston

13. Question: What initiatives do you plan to undertake at the Department?

Answer: President Bush and Secretary Lujan agreed on an agenda for the Department which I will share and work diligently to implement. In brief, that agenda is:

* We will conserve and wisely manage our national resources;

* We will work to further the political, economic and social development of the peoples of the Territories and Freely Associated States;

* We will place a high priority on the role of education in increasing the public's knowledge and support for our natural resources;

* We will be aggressive soldiers in the Nation's war on drugs;

* We will strengthen and preserve our national parks, wildlife refuges, and wilderness areas;

* We will manage the Department in a fiscally responsible and ethical manner;

* We will manage the multiple-use lands and waters to provide the widest range of benefits to the American people;

* We will apply the Department's scientific and technological resources to the solution of national and international environmental problems;

* We will consult, cooperate, and coordinate, rather than confront competing interests;

* We are committed to Native American self-government and self-determination; and,

* We will promote partnerships and expand volunteerism to benefit the public lands.

Senator Johnston

14. Question: What do you envision as your role at the Department?

Answer: If confirmed as Under Secretary of the Interior, I believe it will be my responsibility to coordinate the viewpoints, concerns and positions of the many constituencies with interests in the Department's programs and policies. In so doing, I intend to establish a procedure for open and direct communication both within and outside the Department. I want each organization or individual who has a contribution to make to have an opportunity to make it prior to a position being taken. In particular, I want to establish a close and open working relationship with the members of Congress. Certainly, communication and coordination with members of the Senate Energy and Natural Resources Committee, as well as members of other committees in both the Senate and House of Representatives that have interests in the Department of the Interior's programs and position on issues, are essential.

15. Question: Do you think we have achieved an appropriate balance between the development of federal mineral resources and protection of the environment?

* If not, what improvements need to be made?

Answer: If confirmed, I intend to be fully supportive of President Bush's policy, ". . . that sound ecology and a strong economy can coexist." I believe this Nation has come a long way toward meeting the goal of balancing development of federal mineral resources and protection of the environment. I also believe that development of federal mineral resources on public lands does not need to be at the expense of the environment. Nor does protection of the environment need to eliminate the mineral development this country needs if we expect to maintain our economic and national security.

I expect to continue seeking the appropriate balance between federal mineral development and protection of the environment. I hope that balance will be achieved in a continuing spirit of cooperation among local and state governments, public land users, the Congress, and the Department of the Interior.

Senator Johnston

16. Question: As you know, I am a longstanding supporter of the OCS Leasing Program. Do you believe that oil and gas resources on the Outer Continental Shelf should be developed in an environmentally sound manner and as efficiently as possible to ensure orderly development?

Answer: Yes. I believe that oil and gas resources on the Outer Continental Shelf should be developed in an environmentally sound manner and as efficiently as possible to ensure orderly development.

17. Question: Do you agree that modern conservation practices should be used on the OCS?

Answer: Yes, I certainly do. I am assured that Department of the Interior policy encourages the use of those practices. As you know, the application of conservation practices to the development of natural resources requires the cooperation and coordination of all parties concerned. We are committed to ensuring that the Interior Department serves as a good neighbor in all its missions.

Under Secretary-Designate

Senator Johnston

18. Question: Several task forces have been formed by the Administration to review environmental impacts of various lease sales scheduled pursuant to the Five-Year Plan.

- Please describe the status, composition, and mission of these task forces.

- When do you expect the work of each to be completed?

Answer: The task forces, their status, composition, mission, and expected completion dates are as follows:

Outer Continental Shelf Leasing and Development Task Force

This task force was directed to be established by President Bush in February 1989. It is chaired by Secretary Lujan with representatives from the Department of Energy, Office of Management and Budget, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration. The National Academy of Sciences is providing the task force scientific and technical advice. The task force mission is to review concerns about the potential impacts of the eastern Gulf of Mexico Sale 116 Part II, southern California Sale 95, and northern California Sale 91. The task force met with the congressional delegations of California and Florida in May, and has begun a series of workshops in both states which will continue through July. A staff draft of options to be considered by the task force will be published in the Federal Register for public comment in August 1989. The task force report is due to the President on January 1, 1990.

Pacific Northwest OCS Task Force

This task force was established in January 1989. Its membership includes a steering committee composed of the MMS Pacific OCS Region's Director, and one representative each from Oregon, Washington, the Northwest Indian Fish Commission, and the Columbia River Inter-Tribal Fish Commission. The mission of the task force is to advise the Secretary on issues related to potential leasing, exploration, and development of oil and gas in the Washington/Oregon Planning Area, including recommendations on Sale 132, Washington/Oregon, which is tentatively scheduled for April 1992. A steering committee met on March 27, 1989, with positive efforts made by all parties involved. At the request of the task force, MMS is seeking information from industry on areas of highest hydrocarbon potential. These results will be discussed at the next steering committee meeting, scheduled for July 17, 1989.

Federal/State South Florida Task Forces

Two task forces were established in 1988 at the request of the State of Florida during consultations on the 5-year program to analyze oil spill risks and the potential impacts of drilling operations on coastal and marine resources off south Florida. The area south of 26° N. Latitude comprises Sale 116 - Part II and also contains 73 existing leases on which exploration has been delayed by congressional action. The task forces contain five scientists each from the State of Florida and MMS. Their work is expected to be complete by the end of July 1989.

Under Secretary Designate

Senator Johnston

19. Question: The Department recently promulgated product value rules for coal. Under these rules, AML fees, black lung fees and State severance taxes will be excluded from the "value" of coal for purposes of calculating royalty. The Department estimates that these rules will result in an annual revenue loss of $34 million, half of which will be incurred by the States. I understand that the Department intends to review these rules.

* What is the status of that review?

* Do you think that State severance taxes should be excluded from "value" for federal royalty purposes?

Answer: I have been advised of the concerns expressed by some States about these rules and that the Secretary appointed a panel of senior Department officials, chaired by MMS Director Barry Williamson, to consider the views of affected parties and to assess how the regulations are working since they went into effect March 1, 1989. The panel held a public meeting on May 4, 1989, to hear concerns of the parties first-hand, and also solicited written comments from interested individuals. One particularly interesting outcome of this meeting was the State of Montana's announcement that it had reversed its previous position and now supports the March 1 rule. It is my understanding that after reviewing all comments the panel will report to the Secretary on the concerns of all affected parties, including state severance taxes. The Department is also reviewing impacts on Federal coal production as a result of the March 1 rule. I have been informed that the Department expects this review process to be completed in early 1990.

Under Secretary-Designate

Senator Johnston

20. Question: What activities has the Department undertaken in response to the Exxon Valdez oil spill in Prince William Sound?

Answer: The Department has provided the following information on activities undertaken in response to the TV Exxon Valdez oil spill incident. The Department's responses have been of three types:

1. response to the spill, containment and cleanup efforts in support of the Coast Guard;

2. initiation of the natural resource damage assessment required under CERCLA; and,

3. additional departmental initiatives.

The authorities for these activities are the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA), and the Clean Water Act (amendments to the Federal Water Pollution Control Act) Section 311. Executive Order # 12580 names the members of, and delegates certain responsibilities to, the National Response Team (NRT) of which Interior is a member.

1. Response Activities.

The Department's role for response activities in a spill or discharge is covered in the National Contingency Plan (NCP). The Department of the Interior provides response assistance at spill incidents or hazardous waste sites in support of the Coast Guard or the Environmental Protection Agency (in this case the Coast Guard). Interior functions as a member of the National Response Team (NRT) and the several Regional Response Teams (RRT) in the manner described in the NCP and in Regional Contingency Plans (RCP's). The Department's response is based on the full range of Interior's jurisdictions and expertise.

The specific activities which the Department has undertaken since the oil spill from the TV Exxon Valdez began on Friday, March 24.

The spill started shortly after midnight; first notifications in the Department came to the Bureau of Land Management and to the Department's Regional Environmental Officer in the Office of

Environmental Project Review (REO-OEPR) in Anchorage. The Department's REO is a member of the Alaska RRT. The Deputy Under Secretary for Alaska Affairs in the Washington Office was notified by telephone call from Alaska in the early morning hours the day of the spill. The NRT members were being notified by 9 a.m. Eastern Time.

Thereafter, the Department's REO office in Anchorage became the central point for Alaska RRT coordination, as well as coordination for Interior's logistical support operations which began early that same morning. The Regional Environmental Assistant traveled to Valdez with Alaska Regional Fish and Wildlife Service Office personnel on Friday. This presence in Valdez afforded a key coordination point for Interior activities at the Coast Guard On-Scene Coordinator's (OSC) HQ for natural resource related activities and for Interior logistical support throughout the first few weeks of the incident.

Interior's response activities have involved five Bureaus as well as the Office of Aircraft Services (OAS), the Office of Environmental Project Review (OEPR), the Assistant Secretary for Indian Affairs, the Solicitor's Office, the Under Secretary's Office and numerous personnel from the Secretary's Office directly.

Examples of specific activities undertaken by the Department, primarily at the regional level, during the spill response include:

o Fish and Wildlife Service (FWS) and National Park Service (NPS) surveys of first potential oil impact areas.

o Determination of the effects of the spreading oil on migratory bird habitats and individuals.

o Monitoring and supervision of contract personnel brought in by Exxon Corp. for bird cleaning, sea otter and raptor rehabilitation operations.

o Planning and logistical support for bird and animal pick-up and transport to treatment-rehabilitation centers in Valdez, Homer, Seward and Kodiak.

o Provision of transportation services via aircraft and boat to Interior agencies, Coast Guard, and other agencies of both State and Federal Government active in the spill response and cleanup activities to catalogue its effects.

o Documentation by both the NPS and the FWS of the numbers, species and locations of migratory birds, and the number and locations of sea otters observed in the oil spill area, as well as determination of mortality on other species of concern.

o Provision of technical assistance and oversight of beach-cleanup operations on lands (national parks, wildlife refuges and public lands) under the jurisdiction of the Department of the Interior.

Additionally, the Bureau of Land Management provided logistical support starting the first weekend after the spill to nearly all segments of the Federal, State and local governments responding to the spill. Personnel and equipment were sent to the Anchorage center established in the REO's office and to support the Valdez operations.

By Tuesday, March 28, BLM was prepared to respond to a request to mobilize fire-fighting crews from Fairbanks, Alaska, and Boise, Idaho, in case they could be used for cleanup activities. An interagency Incident Command Team (ICT) was called out. As it became clear that the spreading oil slick was moving outside of Prince William Sound into the Gulf of Alaska, and threatened the Kenai Peninsula shoreline, the National Park Service requested the services of the team in protecting the Kenai Fjords National Park. Elements of the ICT worked in Valdez with the State of Alaska and in Kodiak with the FWS. An interagency team established and maintained a coordination and information center for Department activities in Washington. Overall, BLM services ranged from providing and setting up remote weather tracking stations for the National Oceanographic and Atmospheric Administration (NOAA) to chartering boats for, and feeding, those working to identify and protect critical areas in Kenai Fjords National Park.

Oil from the spill was first reported to have moved out of Prince William Sound on March 31. The slick moved in a southwesterly direction after passing through the Montague Straits and past Latouche Island into the Gulf of Alaska. Following that, a storm of approximately 3 days duration with strong southeasterly winds forced oil from the slick onto Interior-managed lands at the Chiswell Islands unit of the Alaska Maritime National Wildlife Refuge. April 7, 1989, was the first instance of oil impacting lands managed by the Department, although sea otters and birds were affected in Prince William Sound almost immediately following the accident itself.

Under Secretary-Designate
Senator Johnston
20-4

The NPS organized and supervised documentation of pre-spill conditions at Kenai Fjords, Katmai, and Lake Clark National Parks, and Aniakchak National Monument, assisted by the ICT as described above. Activities included water quality sampling, shoreline vegetation surveys, cultural resources surveys, and wildlife counts. NPS and ICT personnel worked closely with local governments to establish priorities for placement of oil containment booms, and in actually placing booms, as oil escaped Prince William Sound and was carried west and south past these Interior land holdings.

As streamers of oil and mousse moved southwest through the Gulf of Alaska past the entrance to Resurrection Bay and down the coastline of the Kenai Peninsula, otters further and further distant from the Valdez center needed treatment. After being requested to do so by the Fish and Wildlife Service, Exxon constructed and staffed an additional otter rehabilitation center in Seward, opened during the second week in May.

To coordinate with protection and rehabilitation of migratory birds and otters, FWS opened four on-site field offices -- in Valdez, Seward, Homer and Kodiak.

Shoreline cleanup continues in Prince William Sound and also at various places along Kenai Peninsula coastline and into the Shelikof Strait. Interior roles continue wherever the oil has contaminated the shoreline or affected surrounding waters. The FWS and NPS provide resource information in support of planning of cleanup operations, participate in aerial reconnaissance of areas proposed for cleanup, and, along with other agencies, monitor on-site cleanup operations. On-shore cleanup includes retrieval of dead wildlife to prevent their being scavenged by predators such as eagles and bears. For the most part, shorelines in national parks are being cleaned using only low impact methods -- removal of oiled debris by crews with handtools for example -- to preclude adverse impacts to the resource from large numbers of people and heavy equipment in addition to the impacts of the oil.

The Secretary and the Deputy Under Secretary for Alaska made site visits in Valdez, Homer, Kodiak and Seward, as well as on-the-ground stops to two remote sites in Prince William Sound (April 20-23, 1989) to ascertain the nature of potential adverse effects on Interior land holdings and the significant resources in the areas which are under Interior management.

Response activities began on day one, and will likely continue at a significant level throughout the summer. Interior's participation in the activities of the RRT in Anchorage continues today. We anticipate that this activity will continue until the incident is declared "closed."

2. Initiation of the Natural Resource Damage Assessment.

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) authorizes Natural Resource Trustees, (in this instance Interior, Commerce, Agriculture and State of Alaska) to conduct an assessment to determine injuries to natural resources under their respective trusteeship as a basis for seeking compensation from the party or parties responsible for the discharge of the oil. This requirement is also applicable to liability arising under the Clean Water Act.

Within hours of the spill, the Interior Department's land and resource management agencies (FWS, NPS, BLM) initiated efforts to begin collection of baseline data on fish and wildlife resources to establish the benchmark(s) against which resource injuries could be measured. Departmental biologists and other professionals were in the field identifying locations of wildlife species under the Department's jurisdiction, assembling existing biological data about wildlife habitat areas of special concern (such as salmon spawning streams, otter pupping areas, waterfowl migration routes through the Sound and other likely affected areas, etc.). The geographic whereabouts of known professional and technical personnel critical to this data operation and those likely to be needed in the coming months as the damage assessment proceeded were identified for future use in calling expertise into operation.

During the first 10 days of the spill event, officials of the Department met with representative and key officials of the other Trustees and the Department of Justice, the Environmental Protection Agency and others. These efforts were centered on organizing the Trustee agencies to begin the damage assessment. Over the next 2 weeks, numerous meetings of this nature, both in Washington and in Alaska, were held, culminating in the Trustees signing a Memorandum of Agreement which serves to establish the administrative framework within which the Trustees will function in conducting the damage assessment.

Simultaneous with these activities, representatives of the Department met with representatives of the Trustees, the Justice Department and others to address the need for early funding with which to initiate the damage assessment. These efforts, involving numerous meetings and telephone conferences, culminated

in EXXON Corporation's signing an agreement with the Trustees which provides for EXXON to fund an "up-front" payment of $15 million to the government to use in beginning the damage assessment.

Secretary Lujan took the initiative and called the first formal meeting of the Trustees on April 12, 1989. Following a series of subsequent meetings, the Trustees created an administrative organization to begin preparation of the Natural Resources Damage Assessment Plan as called for in the CERCLA Regulations. A "Trustee Council" composed of senior government officials representing the Trustees was created and charged with the task of preparing the Plan. To assist the Council and to facilitate the overall effort, a "Legal Team," a "Management Team," and a "Budget Team" (composed of representatives from all the Trustee agencies) have been established. Representatives of Non-Trustee agencies, i.e., Environmental Protection Agency, Department of Justice and others are represented on most of these sub-groups.

The Trustee Council is expected to present to the Trustees on or about July 1, 1989, a recommended plan for doing the damage assessment. Subsequently, the plan will be submitted for public review and comment as required in regulations. Following that, the Trustees will adopt a plan for the assessment.

The Trustee agencies, by mutual understanding, have undertaken, both independently and in concert with each other where appropriate, considerable work to collect needed biological data, water samples, wildlife mortality data, effects upon subsistence resources, critical field investigations and studies of spill effects in advance of the formal assessment plan being adopted. These actions are required in light of the immediacy of the situation and the fact that the field work season is very short in Alaska (basically April through September).

It is anticipated that assessment activities will continue for months to come.

3. Additional Departmental Initiatives.

In addition to the work noted above, the Department has taken several other steps.

a. Secretary Lujan has directed the Minerals Management Service (MMS) to initiate an evaluation of the oil spill cleanup technology, systems and equipment employed in the country today, and to conduct research into new technology in this critical area. Focus of this effort is to strengthen the ability to

respond to such future incidents where the quantity of crude oil discharged is great. Approximately $1 million are being reprogrammed from MMS funds in the current fiscal year budget to initiate this effort, which will total $6 million over 3 years, with half of the funds being provided by industry through an agreement negotiated by the Secretary with the American Petroleum Institute.

b. The Secretary has directed the Acting Assistant Secretary for Indian Affairs to prepare a plan and identify funding needs for an assessment of the impact from the oil spill and from cleanup activities upon the social, cultural and economic well-being of Alaska Natives in the area of the spill. Efforts are being taken to insure that Native community representatives participate in identifying what studies need to be done, as well as in the studies themselves.

c. The BLM has initiated a comprehensive review of oil spill contingency plans for the entire length of the Trans Alaska Pipeline, from Prudhoe Bay to Valdez, Alaska. Modifications or strengthening of these plans, where needed, will be required of the pipeline operator. Additionally, BLM has increased surveillance and security measures, in concert with the pipeline operator, along the entire length of the 800 miles through which the Trans Alaska Pipeline passes.

d. The Minerals Management Service, working with the National Ocean Pollution Policy Board, has identified a series of studies of the fates of oil in the marine environment in Prince William Sound and the western Gulf of Alaska which need to be performed. These are being examined to determine funding sources and coordination required with the CERCLA Natural Resource Damage Assessment and to insure that no duplication occurs with similar ongoing studies being conducted by others.

e. The U.S. Geological Survey had previously scheduled offshore Exclusive Economic Zone surveys, including side-scan sonar near Kodiak by the Ship Farnella. Since the spill, arrangements have been made for the MMS and other scientists to share the opportunity presented by the ship's schedule and capabilities to collect samples and to observe impacts of the spill.

f. The MMS has also stepped up the number of unannounced safety inspections on offshore production facilities and has expanded its program of oil spill readiness inspections and drills to assure that all required equipment is in place and that trained personnel can successfully deploy it.

Under Secretary-Designate

Senator Johnston

21. Question: What have been the effects to date of the spill on Federal lands?

Answer: I have been provided with the following facts: The grounding and rupture of the EXXON VALDEZ in Prince William Sound released over 11 million gallons of North Slope crude oil. Oil has impacted western Prince William Sound, the southern coast of the Kenai Peninsula, the Alaska Peninsula coastline, and portions of the Kodiak Archipelago. The effects of the oil spill are both direct and indirect. Direct effects include oil deposition on beaches bordering DOI-managed lands and bird and mammal fatalities. Indirect effects include secondary impacts on predators, such as bears, eagles, and foxes, feeding on dead, oil-tainted animals and vegetation.

Approximately 117 nautical miles (miles) of oiled national wildlife refuge coastline has been identified for cleanup. This includes 64.9 miles (4.7 miles heavy, 12.9 miles moderate, 47.3 miles light) of Alaska Maritime Refuge, 13.8 miles (2 miles moderate, 11.8 miles light) of Becharof Refuge, and 38.5 miles (1.5 miles heavy, 2.5 miles moderate, 34.5 miles light) of Kodiak Refuge. Shoreline surveys are continuing to be conducted so these figures are expected to change.

Three National Park Service (NPS) areas have been affected. Kenai Fjords National Park, Katmai National Park and Preserve, and Aniakchak National Monument and Preserve. Exact estimates of the miles of beaches impacted in NPS areas are not available at this time; however, significant impacts to both beaches and animals have been documented at Katmai and Kenai Fjords National Park and Preserves while lesser impacts have been recorded at Aniakchak. The NPS is currently compiling this information and plans to compare post-impact assessments with pre-impact inventories.

To my knowledge, the oil spilled from the Exxon tanker Valdez to this date has not impacted any lands under the management of the Bureau of Land Management (BLM). The closest lands under BLM's management that could be impacted are located on the western side of the Cook Inlet north of the Katmai National Park and Preserve.

The Department of Agriculture (Forest Service) also manages Federal lands in the vicinity of the oil spill. I understand we are not in a position to provide detailed information on the effects of the spill on USDA-managed lands.

An undetermined amount of shoreline (some associated with Interior land) has been impacted by oil but is not proposed by Exxon to be cleaned up. Interior and other State and Federal agencies are working with Exxon to get these deleted shoreline segments added to the cleanup list. The effects to wildlife associated with these lands are also considerable.

FWS records indicate that approximately 25,900 birds (including over 50 raptors) and 780 sea otters have died as a result of the oil spill (data as of June 14, 1989). Significant resources are applied to recovery efforts, including bird and otter cleanup. Seven otters have been released and biologists are tracking their movements to determine the most safe and effective release tactics to apply to the cleaned otters being held.

Under Secretary-Designate

Senator Johnston

22. Question: The Office of Surface Mining Reclamation and Enforcement (OSMRE) is instituting a plan to give more oversight duties under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) to the States. This represents a substantial change in policy.

- o Why was there no opportunity for public comment on the new plan?

Answer: I understand that these guidance documents are internal agency directives, and, therefore, there is no requirement to seek formal public comment. I also understand that the oversight guidance has required and will continue to require that Field Office Directors solicit comments and concerns from all interest groups within their States when preparing detailed annual oversight workplans.

Also, I have been advised that the oversight plan will be partially implemented on an experimental basis in six States for Evaluation Year 1990. No general implementation will be approved until the results of this test are evaluated.

23. Question: On December 27, 1988, OSMRE published a controversial proposed rule on valid existing rights to mine coal in areas where Congress has otherwise prohibited mining.

- o What is the status of the rulemaking?

Answer: I understand that the extended public comment period closed on April 24, 1989, and that the Office of Surface Mining Reclamation and Enforcement (OSMRE) is currently analyzing and compiling the more than 4,500 comments submitted by persons and organizations representing the entire spectrum of interests. If confirmed, I will work with the Secretary to consider whether additional options to define valid existing rights (VER) should be considered. I fully support the Secretary's commitment not to allow coal mining in units of the National Park System.

Under Secretary-Designate

Senator Bumpers

1. Question: Royalties are charged on coal, oil and gas production on federal lands. States charge fees for hardrock production on federal lands and even mining claimants lease their claims and charge royalties to claim developers.

- o Do you think federal royalties should be charged for hardrock mineral development on federal lands?
- o Why or why not?

Answer: At this point I have not had the opportunity to examine this issue in depth. I understand the issue was the subject of a recent congressional oversight hearing on the 1872 Mining Law. I intend to be actively involved in any subsequent deliberations.

2. Question: The Forest Service estimates that hardrock mineral production on National Forest lands includes over 5 million ounces of gold and silver. The value of all hardrock production on National Forest lands was $694 million in 1988. Please provide an estimate, by mineral, of the production and value of hardrock mineral production under the Mining Law of 1872 for BLM lands.

Answer: I am not able o provide this data at this time. I am advised that Senator Bingaman asked the BLM this same question as a follow-up to the June 7 hearing on S. 1126. The Bureau is working diligently to prepare a response to the Committee before that hearing record closes on June 23.

Under Secretary-Designate

Senator Wallop

Question: Do you intend to convert the positions of Superintendent of the largest national parks to the Senior Executive Service? If so, why?

Answer: The recent proposal to create Career-Reserved Senior Executive Service (SES) positions for the Superintendencies of Yellowstone and Yosemite National Parks has received considerable attention and comment within and outside the National Park Service. In 1979, when the Senior Executive Service was created, the personnel management arm of the National Park Service recommended that Yellowstone, Yosemite, and several other field Superintendencies be upgraded to SES. I am advised that the rationale for proposing SES Superintendencies for Yosemite and Yellowstone again at this time is to recognize the importance, prestige, and expanded array of complex management issues associated with these "crown jewel" parks. Indeed, Robert Barbee, Superintendent of Yellowstone, and Jack Moorhead, until recently Superintendent of Yosemite, are, in fact, in the SES training program.

However, due to the number of legitimate concerns from a variety of sources which have been raised to this proposal, not including misinformed allegation of "politicization of the National Park Service," the Secretary has advised me that the Department does not plan to move forward with the proposal. The current Superintendent vacancy at Yosemite will be competitively bid at the GS-15 level.

Department of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240
June 23, 1989

Honorable J. Bennett Johnston
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed please find the Bureau of Land Management's answer to a question for the record from Senator Bumpers following my confirmation hearing on June 12.

If I can be of further assistance to you, please let me know.

Sincerely,

Frank A. Bracken
Under Seretary-Designate

Enclosures

cc: Honorable James A. McClure, Ranking Minority Member
Committee on Energy and Natural Resources
United States Senate

Department of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240
June 23, 1989

Honorable Dale L. Bumpers
United States Senate
Washington, D.C. 20510

Dear Senator Bumpers:

Enclosed please find the Bureau of Land Management's answer to your written question following my confirmation hearing before the Senate Energy Committee on June 12.

If I can be of further assistance, please let me know.

Sincerely,

Frank A. Bracken
Under Secretary-Designate

Enclosures

Senator Bumpers
Questions for the Interior Department
Hearing on The Mining Law
June 7, 1989

#13. The Forest Service estimates that the value of annual hardrock mineral production on national forest lands is $694 million. Please provide such an estimate for BLM lands.

Answer: The Bureau of Land Management's estimate is:

State	Estimated Value ($ Million)
AK	$ 530
AR	$ 0.2
AZ	$ 145
CA	$1,293
CO	$ 36
ID	$ 38
MT	$ 174
NV	$1,376
NM	$ 293
OR	$ 40
UT	$ 37
WY	$ 1
Total Federal	$3,963
Less USFS	(694)
Total BLM	$3,269

Department of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240

Honorable J. Bennett Johnston
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed you will find my responses to the questions for the record received on June 13, 1989.

I want to personally thank you and your staff for the courtesy extended to me during the confirmation process.

Sincerely,

Cy Jamison
Director-Designate
Bureau of Land Management

Enclosures

cc: Honorable James A. McClure, Ranking Minority Member
Committee on Energy and Natural Resources
United States Senate

Department of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240

Honorable Malcolm Wallop
United States Senate
Washington, D.C. 20510

Dear Senator Wallop:

Enclosed you will find my responses to your written questions following my confirmation hearing before the Senate Energy Committee on June 12.

If I can be of further assistance, please let me know. I look forward to working with you and your colleagues in the coming months.

Sincerely,

Cy Jamison
Director-Designate
Bureau of Land Management

Enclosures

Department of the Interior
18th and C Streets, N.W.
Washington, D.C. 20240

Honorable J. Bennett Johnston
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed you will find my responses to your written questions following my confirmation hearing before the Senate Energy Committee on June 12.

If I can be of further assistance, please let me know. I look forward to working with you and your colleagues in the coming months.

Sincerely,

Cy Jamison
Director-Designate
Bureau of Land Management

Enclosures

BLM Director-Designate

Senator Johnston

1. Question: Have you ever been investigated, arrested, charged or held by any Federal, State or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, please explain.

Answer: No.

2. Question: Have you ever been convicted (including a plea of guilty or nolo contendre) of any criminal violation other than a minor traffic offense?

Answer: No.

3. Question: Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Answer: No.

4. Question: Have you or your spouse ever represented in any capacity (e.g., employee, attorney, business, or political adviser or consultant), with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

5. Question: If you or your spouse has ever been formally associated with a law, accounting, public relations firm or other service organization, have any of you or your spouse's associates represented, in any capacity, with or without compensation, a foreign government or an entity controlled by a foreign government? If so, please fully describe such relationship.

Answer: No.

6. Question: During the past ten years have you or your spouse received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government? If so, please furnish details.

Answer: No.

7. Question: Have you or your spouse ever registered under the foreign Agents Registration Act? If so, please furnish details.

Answer: No.

Senator Johnston

8. Question: Were all your taxes (Federal, State, and local) current (filed and paid) as of the date of your nomination hearing? If not, please explain.

Answer: Yes.

9. Question: Have all your Federal, State, and local taxes always been paid on time? If not, please explain.

Answer: Yes.

10. Question: If confirmed, are there any known limitations on your willingness or ability to serve for your full term or until the next Presidential election, whichever is applicable?

Answer: No.

11. Question: Please advise the Committee of any additional information, favorable or unfavorable, which you think the Committee would want to be aware of in considering your nomination.

Answer: None.

12. Question: What initiatives do you plan to undertake at the Bureau?

Answer: There are three general areas which I would give priority in the BLM:

1) The Bureau Recreation Program needs to be expanded to meet the recreation needs of the American public. BLM manages some 300 million acres of land on which recreation opportunities abound.

2) The Bureau's Wildlife Program needs to be increased in both dollars and manpower. Early involvement in project planning and program implementation will not only benefit wildlife but insure a balanced and sustainable program. I plan on placing a special assistant on my immediate staff representing wildlife issues to insure the program receives input and support from the Director's Office.

3) The Bureau's Range and Riparian Programs have to be better coordinated at all levels in the Bureau. The more these programs are melded together in the early implementation stages, the greater long term benefits to both programs.

Senator Johnston

13. Question: What do you envision as your role at the Department?

Answer: I see my role as a key supporter of the President's and Secretary's goals in land resource management. My purpose will be to turn those goals into programs that can be implemented and monitored. I plan to take a high profile role in informing and educating the public and working with Congress on issues involving the BLM.

14. Question: What do you think will be your three greatest challenges as Director of the Bureau of Land Management?

Answer: 1) Maintaining a balance between resource use and preservation.

2) Working with and keeping Congress fully informed of the Administration's goals and programs.

3) Implementing the initiatives highlighted in my answer to question #12.

15. Question: Do you think we have achieved an appropriate balance between the development of federal mineral resources and protection of the environment?

If not, what improvements need to be made?

Answer: In most cases I think there is a balance between the protection of the environment and the development of federal mineral resources. I am an optimist. I think in the vast majority of cases we can have both. During certain times one use may dominate, but in viewing programs in total, both usually can take place. Early and full consideration of all relevant concerns, such as wildlife, riparian matters, etc., in the decisionmaking process is essential to achieving proper balance and obtaining public confidence in BLM programs.

16. Question: What former director of the Bureau of Land Management do you most admire and why?

Answer: Robert Burford. I think his steady and long term management style was what the Bureau needed when he took over in 1981. He is leaving behind a BLM with a strong management team in place, good relations with BLM neighbors, and respect on Capitol Hill. Thanks to that type of management it will allow me the opportunity to build upon that base and emphasize different programs.

Senator Johnston

17. Question: On July 29, 1988, the Department issued a proposed rule seeking comments on whether the royalty rate for underground coal should be changed from the current rate of 8 percent of the value of production to 5 percent or some fixed rate between 5 and 8 percent.

- o Do you support a reduction in the underground rate?
- o Why or why not?

Answer: I am generally familiar with the proposed rule. The Secretary has initiated a complete review of this issue. I will be joining him in this review and his decision on this issue as soon as I am confirmed as Director.

18. Question: What is the status of the guidelines for regional coal royalty reductions, published in proposed form on August 5, 1988?

- o Do you support the concept of regional or State-wide royalty reductions?

Answer: These proposed changes to existing guidelines are undergoing review by Secretary Lujan. I look forward to joining in that review and making a recommendation to the Secretary subsequent to my confirmation.

19. Question: By letter of March 10, 1989, the Department stated that Secretary Lujan had expressed an interest in reviewing possible legislative options regarding the patenting of oil shale mining claims under the Mining Law of 1872, as well as in reviewing draft Department regulations on the same subject.

- o What is the status of those reviews.

Answer: I am advised that those reviews continue. I believe that the Secretary is optimistic that a resolution can be found which protects the public as well as private interests in these claims.

20. Question: The Secretary has agreed not to issue oil shale patents for the 1989 calendar year.

- o In what areas do you think a compromise could be reached to resolve this 69-year old controversy?

Answer: Clearly there will need to be agreement regarding the particulars of any patenting actions contained in any resolution. This includes acceptable qualifications for patenting, such as standards of discovery, compliance with assessment, and the status of patent applications at certain stages in the patent application process. There will also need to be agreement regarding exactly what gets patented(all surface and minerals, all minerals, and for what time period) and what appropriate fees or prices are to be paid. I share the Secretary's optimism that these issues can be resolved as part of an ultimate solution.

Senator Johnston

21. Question: A recent GAO study on the implementation of the Federal Onshore Oil and Gas Leasing Reform Act of 1987 found that BLM should refine its internal controls to ensure uniformity and reduce the possibility of future problems in the onshore oil and gas leasing system. These refinements include requiring bidders to register before auctions, and requiring that winning bidders deposit 20% of their bonus bids or $2 per acre.

- o Does the BLM agree that these changes are necessary?
- o Why or why not?

Answer: I have been told that the BLM just recently received this report and is in the process of reviewing their recommendations. As soon as that review is complete, the BLM will formally present the response to the GAO, the Congress, and to you.

22. Question: BLM has received a great deal of criticism in the past eight years for its slant towards commodity production at the expense of other programs within the agency. In fact, the General Accounting Office testified recently that BLM places the need of commercial interests ahead of the long-term health of the public resources. GAO also stated that "a fundamental change" in management philosophy will be needed at BLM to meet congressional expectations of multiple use management. Do you agree or disagree? Please explain your response.

If you agree, how will you address the need for a "fundamental change" in philosophy and policy direction at the BLM to balance the commodity and non-commodity programs of the Bureau?

Answer: I do not believe this question can be answered with a yes or no, agree or disagree. One, I am sure, could find examples in past BLM practices of slanting both toward commodity production and other programs. My goal is to have a balanced approach to resource management and that can take place without "fundamental change" within BLM. My job will be to make sure all sides of an issue are represented and then make a decision based on factual and all other relevant considerations.

23. Question: Since 1981, BLM's renewable resources management staff has declined dramatically. For example, the number of fisheries biologists on BLM lands has declined by 50 percent, to the point where some states do not have a single fisheries biologist to manage thousands of miles of streams. Wildlife biologists have declined by 35 percent. As Director of the BLM, how do you plan to address the inadequate manpower that you now face in your fish and wildlife, range and watershed programs?

Answer: In my opinion, the number of fish and wildlife specialists will have to be increased. If I am confirmed, I will actively seek to reverse these disturbing trends.

Director-Designate

Senator Johnston

24. Question: The emphasis that has been placed on commercial development in the past 8 years has led to continued diminution of a number of species on the public lands, to the point that BLM now has over 600 plant species and 250 animal species that are candidates for federal threatened and endangered species status within its jurisdiction. Moreover, despite the fact that 82 listed animal species and 45 listed plant species occur on BLM lands, the Bureau is implementing recovery plans for only 40 listed 40 animal species, and only 16 listed plant species. What will you do within BLM to ensure the recovery of these species?

Answer: I agree more has to be done in these areas and I will make it one of my highest priorities if confirmed as Director of BLM.

25. Question: The GAO, in its investigation of riparian habitats on Federal lands, found that most of the riparian areas on the Federal lands are degraded, but can be restored. What commitments are you going to make for the restoration of these vital resource areas on the public lands?

Answer: I have indicated my support to the wise management and stewardship of the public lands. I understand that the BLM has developed a policy and strategy for achieving restoration of riparian areas. I will support and emphasize the restoration effort which is ongoing.

26. Question: The State BLM offices reviewed riparian management needs for the next 5 years in a recent assessment. That assessment indicates that current funding and staffing levels must be increased significantly to restore degraded riparian areas in every western State. Will you commit to seeking the resources necessary, both in manpower and money, to restore degraded riparian habitats?

Answer: The Bureau's Range and Riparian Programs have to be better coordinated at all levels in the Bureau. The more these programs are melded together in the early implementation stages, the greater long term benefits to both programs will be the end result.

27. Question: Would you support the use of grazing fee receipts specifically for riparian restoration?

Answer: In some cases, it may be appropriate to use grazing receipts for riparian restoration and improvement, because both may benefit.

BLM Director-Designate

Senator Johnston

28. Question: The U.S. Ninth Circuit Court of Appeals ruled last year in Conner v. Burford that BLM and Forest Service must prepare environmental impact statements regarding oil and gas activities prior to the leases being offered, if disturbance is allowed by the lease. How do you intend to comply with the federal court ruling in that case?

Answer: Partly as a result of the Conner ruling, I am told BLM is preparing a significant number of oil and gas related resource management plans and plan amendments. When these efforts are completed by the end of 1992, environmental impact statements will have been prepared for virtually all identified oil and gas priority areas in the contiguous western United States.

29. Question: It is our understanding that the BLM is planning to prepare a series of amendments to its land use plans specifically to address oil and gas leasing activities. What environmental impact review will be included in the preparation of the plan amendments for oil and gas leasing?

Answer: I am told that BLM has scheduled 20 oil and gas related plan amendments. With one or two possible exceptions, environmental impact statements will be prepared in conjunction with each of these amendments. If an EIS is not prepared, an environmental assessment will be prepared.

30. Question: BLM has not set any policy for compliance with Conner v. Burford. The Montana State BLM office is not allowing any leases in areas where resources values are present that are incompatible with oil and gas development until land use plans are upgraded to address oil and gas development conflicts with wildlife values. The Wyoming State BLM office is making no such distinction among different resources areas when making leasing decisions. Would you support the implementation of the Montana State Office approach nationwide?

Answer: I am told that each State Office reviewed existing plans to determine if they were adequate. Where deficiencies were identified, amendments or new resource management plans were scheduled. The Montana State Office found a significant number that had to be amended whereas the Wyoming State Office found relatively few. It is my understanding that BLM will offer lands for lease only where BLM believes there is adequate planning and NEPA documentation.

Director-Designate

Senator Johnston

31. Question: One of the most controversial areas in the range management program at the BLM is the assessment of fees for the grazing of livestock on the public lands. The recent series on the BLM and its management of the public lands in the Los Angeles Times chronicles the subleasing of federal lands by livestock permittees for as much as $12 per AUM, while the rancher pays the government only $1.86 per AUM. According to the Interior Department's investigation, and an independent review of grazing permits conducted by Colorado State University professors, this practice of ranchers making private profit by subleasing Federal rangelands is widespread. How will you work to correct this problem?

Answer: Subleasing is not permitted and I will pursue violators.

32. Question: The Grazing Advisory Boards have been criticised for the predominance of livestock-oriented fencing and water projects that are advocated by the Boards using grazing fee receipts. Section 401 of the FLPMA requires that the grazing fee receipts be used for "all forms of rangeland betterment funding, including seeding and reseeding . . . and fish and wildlife habitat enhancement" in addition to fencing and water projects. Will you look into this matter, and review the use of grazing fee receipts by the Districts?

Answer: I plan on revieving all programs within the BLM and, how grazing fee receipts are expended will be part of that review.

33. Question: Since the passage of FLPMA in 1976, only one-third of the required land use plans have been completed. The completed plans cover only 25 percent of all BLM lands. In addition, the land use planning program has been cut by 50 percent since 1981. What will be your commitments to the land use planning process?

Answer: I have been advised that the BLM has finished 58 RMPs since 1984, plus the California Desert RMP. 37 RMPs are in process; and another 38 are projected for future years. All will be completed by the end of FY 1997 at which time all MFPs will have been replaced by RMPs (assuming no reduction in funding).

Excluding Alaska, 45 percent of the surface acres under BLM jurisdiction are covered by RMPs. Including Alaska, 34 percent of the surface acres under BLM jurisdiction are covered by RMPs.

My commitment to the land use planning process is to finish the RMPs by the end of 1997, requesting a funding level necessary to accomplish this task.

Senator Johnston:

34. Question: The House Interior Subcommittee on National Parks and Public Lands voted unanimously on an amendment to FLPMA that would set a January 1997 deadline for completion of BLM's land use plans. The BLM also has testified that it could complete its land use plans in 1997. Will you commit to the deadline adopted by the House Subcommittee?

Answer: I agree with the June 14 Departmental report sent to the House Interior Committee on amendments to H.R. 828. In that report, it was noted that this requirement was not helpful and could be detrimental to the Bureau's process of updating planning documents. BLM's current schedule anticipates that resource management plans will be developed by 1997. As Director, I expect to meet this schedule, but unanticipated events or future budget constraints could affect completion by this date.

35. Question: What is your position on the Oil Shale Reform legislation that recently passed the House to end the patenting of federal lands for $2.50 an acre to questionable claimants?

Answer: I have not yet formulated an opinion on all aspects of this comprehensive legislation. However, I do believe that it can be used as a starting point for ultimate resolution of this issue. I share the Secretary's concerns regarding the $2.50 an acre fee, and am hopeful that an equitable disposition of these claims can be crafted.

36. Question: The BLM is facing a serious and growing problem with trespassers on public lands that stake claims under the 1872 Mining Law but use the land for non-mining purposes. For example, in BLM's Folsom District in California, a person staked a claim for gold, received a patent to mine, and built a dwelling on the property. There is no evidence that the land was ever mined. According to BLM officials, this case is typical of hundreds of cases in this area where people use lands claimed under the Mining Law for residential purposes, or the cultivation of illegal substances. The abuse of claims under the Mining Law also was well documented in a March 1989 GAO report (The Mining Law Needs Revision, GAO/RCED-89-72). What action will you take to enforce against circumstances such as these?

Answer: I find flagrant abuses of the 1872 Mining Law to be completely intolerable and I will use every resource available to seek out and eliminate such abuses. Fortunately, such abuses generally represent less than one percent of the 1.2 million claims in existence. My initial review of the program indicates that in FY 1990 the first full year of new fee receipts for various recordation related activities will free up base funding from that area for increased surface management and monitoring activities. If confirmed, I intend to conduct further review of these issues and spell out clearly defined initiatives in this area.

BLM Director-Designate

Senator Johnston

37. Question: Subsection 301(a) of FLPMA provides that the Director of the BLM "shall have a broad background and substantial experience in public land and natural resource management."

Do you feel you meet these requirements? What specific aspects of your background do you believe most qualify you for this job?

Answer: Yes. I have ten years prior BLM experience working in the Montana State Office in Billings, Montana. I also have eight years experience in natural resource policy development and program implementation from serving, as a staff member, on the House Interior Committee.

38. Question: What do you see as the major policy issues facing the Bureau today?

Answer: Balancing the many competing demands of the American Public in a multi-use context is the major policy issue.

39. Question: If confirmed as Director, what will be your priorities at BLM? In what issues under the jurisdiction of the BLM are you the most interested?

Answer: My first priority will be to maintain a close working relationship with Congress. In the near term, I hope to enlist the support of the Administration and the Congress for adequately funding BLM's expanded initiatives in the areas of recreation and wildlife.

40. Question: What is your general philosophy of federal land management? What should the primary responsibility of the federal government be relative to management of the public lands?

Answer: My philosophy is the same as Secretary Lujan's - "Stewardship." "Stewardship" would be my answer to both questions.

Senator Johnston

41. Question: Other than FLPMA, what statutes do you view as most significant in terms of the BLM's activities?

Answer: Other than FLPMA I view these statutes as most significant in terms of BLM's activities:

The Mineral Leasing Act
The Geothermal Steam Act
The Mineral Leasing Act for Acquired Lands
The Public Rangelands Improvement Act of 1978
The Taylor Grazing Act
The Wild Free Roaming Horse and Burro Act
The National Environmental Policy Act of 1969
The Clean Air Act
The Wilderness Act and Specific Wilderness Acts
The Clean Water Act
The Recreation and Public Purposes Act
Alaska Native Claims Settlement Act
Alaska National Interest Lands Conservation Act
Endangered Species Act
Resource Conservation and Recovery Act of 1976
Comprehensive Environmental Response, Compensation, and Liability Act
The Mining Law of 1872

42. Question: Two of the most controversial issues in the past 8 years involving the BLM have been the proposed sale of wild horses and burros for slaughter and the sale of portions of the public domain for deficit reduction purposes.

What are your views on these two issues?

Answer: As regards wild horses and burros, I believe all avenues for achieving a solution to the problem should be carefully considered and that includes the appropriate disposal of old, sick or otherwise unadoptable animals. The problem of too many wild horses and burros on the public lands is still a very real one and a reappraisal of the present law and its implementation might be timely.

I think it is appropriate to sell or otherwise transfer limited amounts of public lands to non-federal interests as presently allowed under law. However, I question the wisdom or effectiveness of sales that would be made exclusively or primarily for debt reduction purposes.

43. Question: How did you view the "Sagebrush Rebellion" and how do you think it will affect your job as Director of the BLM?

Answer: In my opinion, the "Sagebrush Rebellion" was born from frustration. Many in the West felt no one cared to hear their concerns or that their input would be given consideration. My goal will be to keep alive the "Good Neighbor" policy. A "Good Neighbor" understands your concerns and gives them consideration in the decision making process.

BLM Director-Designate

Senator Johnston

44. Question: As far as you are concerned, will employees of the BLM be free to meet with members of Congress and staff to discuss policy issues related to the agency? What restrictions, if any, will you apply to such meetings?

Answer: In my view, employees meeting with members of Congress and staff, is a plus for the agency. The only restriction that I would apply, is the person has to be knowledgeable in the issue area and relay the Bureau's and Department's official position, if one has been established. In addition, I would expect the employee to inform me of the Member's or staff's concerns, if any. While an employee can contribute to the policy-making process, the final policy decision rests with the Director.

45. Question: Attached is a copy of a June 12 letter from the Wilderness Society opposing your nomination. Please review and comment.

Answer: I have read the Wilderness Society's letter to Chairman Johnston. Respectfully, I have to disagree with their contentions.

BLM Director-Designate

Senator Wallop

1. Question: Grazing Advisory Boards

As you are aware, the Bureau of Land Management's grazing advisory boards are comprised of panels of ranchers who lease grazing rights from the BLM. In my home state of Wyoming, I find the Grazing Advisory boards very effective as a communications link between user groups and the BLM. The primary responsibility of the Board is to make recommendations to the District Manager on such things as allotment management plans and expenditures of the range improvement program known as "8100 funds." As Director of the BLM, do you support retention of the grazing advisory boards in their current form?

Answer: Yes. Grazing Advisory Boards are uniquely able to provide advice and assistance to BLM managemnt because their scope is to only a single District or Resource Area; the Board members are recognized leaders, elected to serve by their peers; and, they are specifically knowledgeable of the land, the resources, and the people they represent.

2. Question: Multiple Use Advisory Boards

There are also multiple use advisory boards, which consist of much broader and more diverse interest groups who make recommendations to the District Managers of the BLM regarding the many uses on public lands.

o Do you support retention of the multiple use advisory boards?

o Do you advocate an increase to the diversity of interests represented on multiple use advisory boards?

Answer: 1) I support retention of the multiple use advisory boards.

2) It would be premature for me to advocate an increase to the diversity of interests represented on multiple use advisory boards. These boards function effectively and meet an on-going purpose in serving the BLM's mission. Their membership represents and reflects BLM's management of the Public Lands, as authorized by Congress, which is based upon the principles of multiple use and sustained yield.

Senator Wallop

3. Question: What are your thoughts regarding creation of Areas of Critical Environmental Concern which would protect resources on adjoining conservation system units such as national parks, national wildlife refuges, and wilderness areas? Do you foresee the BLM expanding the intent of the ACECs and including buffer zones as earlier stated? Do you intend to consider public suggestions for designation of ACECs?

Answer: I consider the ACEC provisions of the FLPMA to be one of the most important public-interest provisions ever written into public lands law. It is the principal means available to identify and recognize those areas of the public lands which warrant special management to protect important and relevant resource values. While I do not believe it proper to use the ACEC tool to create buffer zones as an objective in itself, I feel that public lands adjacent to such areas should be examined to determine whether or not special management is required to protect germane values. Only where special management is deemed to be needed should ACECs be established. As Director, I will ensure that the BLM continues to encourage public suggestions for new ACECs and carefully considers all such suggestions. It is my understanding that the BLM has been encouraging public suggestions for years and has procedures in place to evaluate and track the results of each suggestion which is received.

4. Question: Since 1980, the number of BLM personnel assigned to fish and wildlife issues has declined despite rising responsibilities and needs. In order to begin to manage BLM wildlife resources adequately, how will you increase the number of skilled professionals in wildlife and fish habitat programs?

Answer: Adequate staffing and funding fish and wildlife programs will be one of my highest priorities. As Director of BLM, I will examine a variety of approaches to address this problem.

5. Question: In 1986 the President issued an Executive Order to maintain the present grazing fee formula, which fluctuates with the market. Do you advocate any change to the Executive Order or do you support legislation to change the current grazing fee formula?

Answer: The formula makes adjustments for changes in the economic health of the dependent livestock industry. I support the Executive Order and oppose legislation to change the grazing fee formula.

Senator Wallop
6. Question:
o Do you support amending or repealing the Mining Law of 1872?

o What aspects of the Mining Law do you think could be changed to make operations by the BLM more efficient and in the best interest of the public?

Answer: I definitely do not support repealing the Mining Law of 1872. However, I am always open to discussions regarding the improvement of the laws under which we work.

7(a) Question: Do you intend to comply with States' water rights laws in the management of BLM water projects?

Answer: I support the Secretary's commitment to work with the states, and within the framework of state law, when acquiring and using water rights for BLM and other federal facilities and projects.

(b) Question: What are your thoughts on the management of reserved water rights in wilderness areas?

Answer: As part of my western heritage, I am well acquainted with the critical role that water rights play in the effective management and use of western lands. On July 28, 1988, former Attorney General Edwin Meese concurred with Department of the Interior Solicitor Ralph Tarr's opinion that the Congress did not intend to reserve federal water rights for wilderness purposes when it created the National Wilderness Preservation System. I personally support working within the States' water right laws to obtain and manage water rights within designated wilderness areas.

8. Question: The BLM does not allow the use of 1080 to destroy predators on BLM lands unless the individuals have specific approval under specific conditions, dictated by the Environmental Protection Agency and the Department of Agriculture. Do you foresee a change in the way BLM manages predator control on public lands?

Answer: The BLM has an up-to-date Memorandum of Understanding with the Department of Agriculture on how and under what conditions animal damage control actions will be carried out. I am unaware of any major problem with the program at this time.

Senator Wallop

9. Oil and Gas Leasing
Question: Would you propose any changes to the competitive oil and gas leasing program, particularly in Wyoming?

Answer: I anticipate the need to review this oil and gas leasing program as part of my responsibilities. I understand that there is a recent GAO report that reviews much of this program, and it will be a part of my review. If the review suggests the need I will make some changes. At this time it does not appear that there will need to be significant changes in the conduct of this program.

Question: How frequently do you intend to conduct lease sales in states? Will you make any exceptions?

Answer: The Bureau policy is for each State Office to schedule quarterly sales for eligible lands which are available for lease. The Bureau's policy also is to timely respond to all requests to offer for sale all lands eligible for lease. The only exception to offering quarterly sales would be if there are not eligible lands available for lease.

Question: Do you feel that the recent Supreme Court cases of Robertson v. Methow Valley Citizens' Council and Marsh v. Oregon Natural Resources Council affect the holding and resultant impact of Conner v. Burford?

Answer: These decisions are important interpretations by the Supreme Court for the purpose and function of NEPA in the decisionmaking process. I believe they provide helpful guidance for all our programs when considering the application of NEPA . I do not believe, however, that they directly affect the specific holding in the Conner case and its implications for the onshore oil and gas leasing program.

Question: What relationship do you intend to establish with the Forest Service as a result of the Federal Oil and Gas Leasing Reform Act?

Answer: I will coordinate our activities, as has been done in the past, at each stage of leasing, exploration and development to avoid unnecessary duplication of effort. To help accomplish this, it is my understanding that BLM and Forest Service are in the process of revising the existing BLM/Forest Service Memorandum of Understanding.

BLM Director-Designate

Senator Wallop

10. Question: In regard to BLM proposed wilderness designations, do you envision working with the appropriate state's Congressional delegations and governors prior to making such proposals to ensure that multiple use concepts and economic impacts are considered?

Answer: As you may already be aware, the Bureau of Land Management has actively involved the appropriate state's Congressional delegations and governors during the wilderness study process. Throughout the process, BLM has used extensive public input to help ensure that multiple use values and economic impacts are fully considered prior to making wilderness recommendations to the President. I feel the process has worked well, and a close working relationship with a State Congressional delegation is essential.

11. Question: Firefighting In prior years, BLM has borrowed monies from land acquisition accounts to pay for the costs of fighting fires. In the future, how do you intend to finance firefighting costs? Do you have any suggestions as to improving the financing of firefighting?

Answer: A permanent, indefinite, account for the management and operation of the Interior Department's wildland fire program is being proposed with the 1990 budget. I think the recommendation made on the 1990 budget submission is a good beginning for discussion toward a solution for funding firefighting costs. This appropriation would eliminate the need for Section 102 authority wherein the Secretary may transfer funds from other Departmental no-year accounts to pay firefighting costs.

12. Question: Do you intend to staff BLM with non-career appointees in accordance with FLPMA?

Answer: I plan to staff all of my subordinate "line management" positions in BLM with career professionals as has been the traditional practice in the agency. A small number of Schedule C employees will occupy staff advisory positions which is also consistent with past practice in the Bureau.

Director-Designate

Senator Wallop

13. Question: Withdrawal of Public Lands: I understand that the Bureau of Reclamation is in the process of reviewing withdrawn lands on the Riverton Project located in Fremont County, Wyoming, for the purpose of making recommendations to the BLM for revocation or continuance of the withdrawal. I am particularly interested in the Muddy Ridge area of the Riverton Unit. In the event that the Bureau of Reclamation does not continue the withdrawal of these lands and the area is restored to public domain pursuant to FLPMA, how do you intend to administer the Muddy Ridge area in the future? Do you intend to dispose of these lands or maintain the status quo?

Answer: The Bureau of Land Management has not yet received the withdrawal review recommendations of the Bureau of Reclamation as to whether the Reclamation withdrawal in the Muddy Ridge area of the Riverton Unit should be continued or terminated. No withdrawal reviewed under Section 204(1) of FLPMA can be terminated unless the Congress indicates otherwise.

In the event the lands are restored to public land status, they would be managed in accordance with the policy set forth in Sec. 102(a)(1) of FLPMA which states that "the public lands be retained in Federal ownership, unless as a result of the land use planning procedure provided for in this Act, it is determined that disposal of a particular parcel will serve the national interest."